

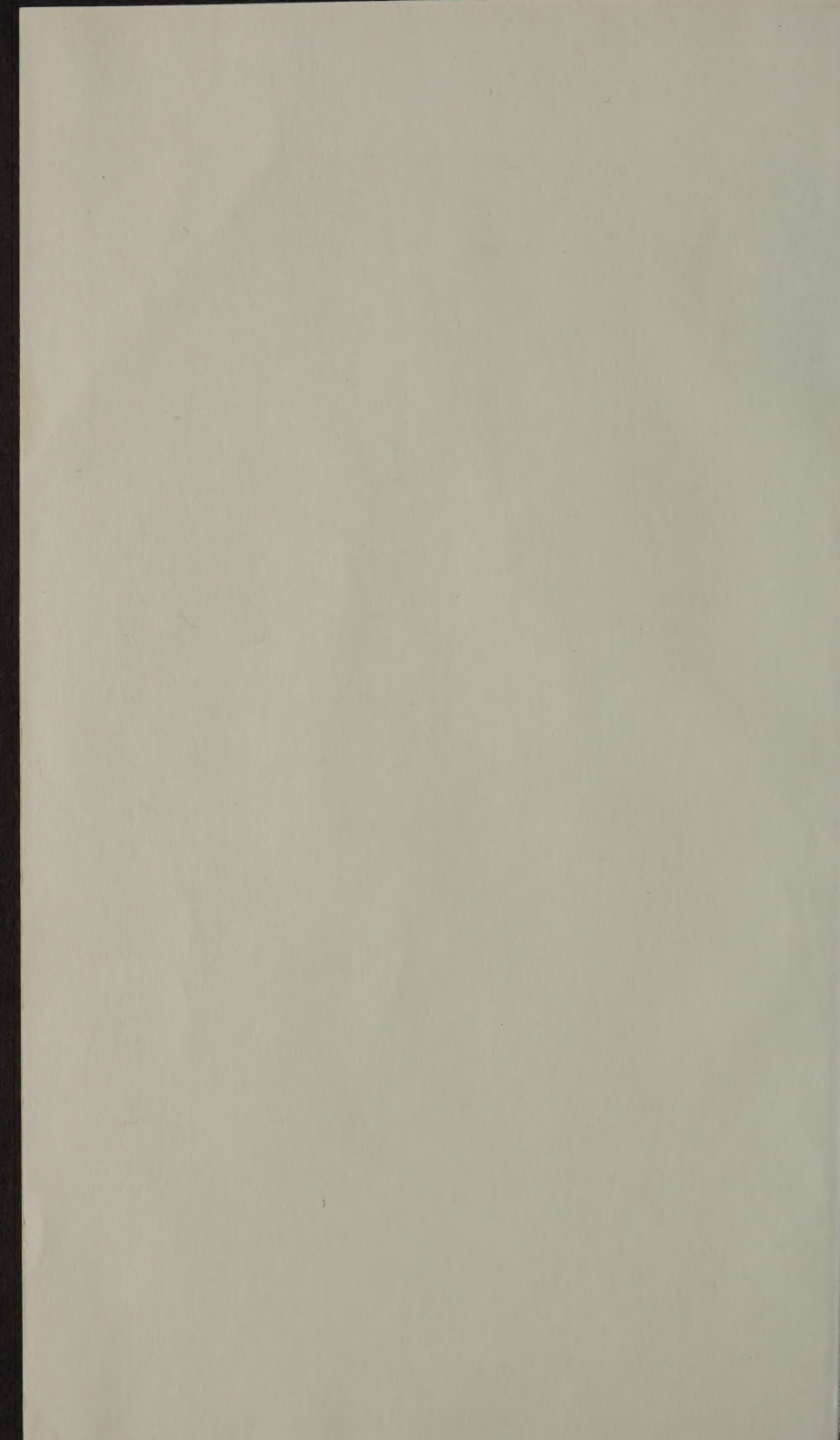
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HOUSE JOURNAL

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OF THE

**Forty-second Legislative
Assembly**

OF THE

STATE OF MONTANA

**Held at Helena, the Seat of Government of Said State,
Commencing in Regular Session January 4, 1971, and
Ending March 4, 1971, and
Commencing in Extraordinary Session March 8, 1971, and
Ending April 3, 1971, and
Commencing in Second Extraordinary Session June 7, 1971, and
Ending June 25, 1971.**

**Zack Stevens
Chief Clerk**

**Rosella Wilson
Journal Clerk**

PUBLISHED BY AUTHORITY

STATE PUBLISHING CO., HELENA, MONT.



MONTANA LEGISLATIVE COUNCIL
STATE CAPITOL
HELENA, MONTANA 59601

HOUSE JOURNAL

OF THE

Forty-second Legislative Assembly

OF THE

State of Montana

FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 4, 1971

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, The House of Representatives of the Forty-second Legislative Assembly of the State of Montana, was called to order by the Honorable Frank Murray, Secretary of the State of Montana, who extended greetings to the assembly on behalf of the State of Montana.

The Secretary of State then announced the following temporary appointments: Reverend Roy Bergquist, of Helena, Montana, temporary Chaplain; Robert S. Hanson, Ronan, Montana, temporary Sergeant-at-Arms; Zack Stevens, Lincoln, Montana, temporary Chief Clerk; Rosella Wilson, Wilsall, Montana, temporary Journal Clerk.

Posting of the Colors by Major William M. Liston and staff from the Montana National Guard, and the Pledge of Allegiance to the Flag by the assembly followed.

Invocation was given by the Reverend Roy Bergquist.

The Chief Clerk called the roll by districts, all members being present except Gerke who was excused because of illness.

Secretary of State Murray introduced the Honorable John C. Harrison, Associate Justice of the Montana Supreme Court, who administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office as representative with fidelity, that I have not paid or contributed or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, SO HELP ME GOD."

Thereupon, the House members subscribed the foregoing oath:

Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow,

Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lucas, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Pierce, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Ed. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody.

The Secretary of State called for nominations for Speaker of the House of Representatives. Harrison, District 21, nominated James P. Lucas, District 7. John Hall, District 18, nominated Bill Christiansen, District 8. Nominations were closed and Harrison moved that 55 Republican votes be cast for James Lucas and 48 Democrat votes for Christiansen. Motion carried.

Harrison moved that the vote be recorded in Journal. Motion carried.

For Lucas: Republican vote 55.

For Christiansen: Democrat vote 48. Gerke excused.

Harrison and Christiansen escorted the newly-elected speaker, James P. Lucas, to the rostrum, where he was formally introduced by the Secretary of State, and presented with the Speaker's gavel.

REPORT OF SELECT COMMITTEES

A committee from the Senate composed of Groff, Hafferman, and Hazelbaker was admitted and advised the House that the Senate was organized and ready for business.

MOTIONS AND RESOLUTIONS

Dye nominated John Pierce, Speaker Pro Tem, James T. Harrison, Jr., Majority Floor Leader; Robert Hansen, Sergeant-at-Arms; Zack Stevens, Chief Clerk; Reverend Roy Bergquist, Chaplain.

Christiansen moved that nominations cease and a unanimous ballot be cast for all. Motion carried.

Harrison moved that the Speaker appoint a committee of five to notify His Excellency, the Governor, that the House was organized and ready for business. Motion carried.

The Speaker appointed Haines, Chairman; Nichols, Asbjornson, Lombardi and Bardanouve.

Harrison moved that a committee of five be appointed by the Speaker to notify the Senate that the House was organized and ready for business. Motion carried.

The Speaker appointed Smith, Chairman; Falkenstern, Pierce, Hall, Healy, and Spilde as an Honorary member.

Motion was made by Harrison that the Speaker, Majority and Minority Floor Leaders be ex-officio members of all committees. Motion carried.

Motion was made by Harrison that the House convene at 1:30 p.m. each day unless notified otherwise by the Speaker. Motion carried.

Harrison moved that the House adopt as temporary Rules of the 42nd Legislative Assembly, the Rules of the 41st Legislative Assembly

of 1969, with the exception of H7-1, the name of Research and Resources be changed to Environment and Resources and (2) 6-2 be changed by inserting "30" between "with" and "numbered". Motion carried.

The Speaker made the following committee appointments:

Affairs of Cities: Cox, Chairman; Campbell, Vice-Chairman; Aber, Brown, Keller, Lockrem, Lockwood, Anderson, Bradley, Harper, Kendall, Kosena, Robbins.

Agriculture and Irrigation: Hemstad, Chairman; Kolstad, Vice-Chairman; Ellerd, Fitzgarrald, Giesick, Ed Smith, Snortland, Aspevig, Fleming, Knudsen, T. Murphy, Robbins, Staigmiller.

Appropriations: Nichols, Chairman; Asbjornson, Vice-Chairman; Dye, Glennen, Haines, Himsl, Kvaalen, Lund, Patrick, Spilde, Aspevig, Bardanouve, Gerke, Kosena, Lynch, Prevost, Schoonover.

Bills: Marks, Chairman; Burnett, Vice-Chairman; Brown, Gerke, Staigmiller.

Business and Industry: Pierce, Chairman; Worden, Vice-Chairman; Burnett, Olson, Patrick, Selstad, Spilde, Eggebrecht, Gerke, Jackson, Laas, McGrath, Mehrens.

Constitution, Elections and Federal Relations: Haines, Chairman; Fagg, Vice-Chairman; Ainsworth, Brown, Falkenstern, Forester, Mather, Hall, Lynch, Menahan, Shelden, Zimmer, Zody.

Education: Warfield, Chairman; Kvaalen, Vice-Chairman; Campbell, Cox, Forester, Himsl, Lund, Marks, Fasbender, Gunderson, Knudsen, Parrish, Schoonover, Shelden.

Environment and Resources: Lundgren, Chairman; Darrow, Vice-Chairman; Ainsworth, Kolstad, Lanthorn, McNamer, Scott, Anderson, Bradley, Johnston, McGrath, McKittrick, Quilici.

Fish and Game: Ed Smith, Chairman; Whitney, Vice-Chairman; Darrow, Lanthorn, Marbut, Perry, Snortland, Brand, Devine, Johnston, Knudsen, Quilici, Weeding.

Highways: Wolf, Chairman; Selstad, Vice-Chairman; Aber, Dye, Lockrem, Pierce, Whitney, Fleming, Healy, Laas, Lien, Swanberg, Watt.

Judiciary: Scott, Chairman; J. Murphy, Vice-Chairman; Bennett, Hemstad, Mather, McNamer, Warfield, Baeth, Greely, Hall, Parrish, Towe, Yardley.

Labor and Compensation: East, Chairman; Glennen, Vice-Chairman; Clemow, Ellerd, J. Murphy, Sverdsten, Wolf, Baeth, Edland, Hodges, Lee, Lombardi, McKittrick.

Legislative Administration: Spilde, Chairman; Kolstad, Vice-Chairman; Bennett, McGrath.

Livestock and Ranges: C. Smith, Chairman; Marks, Vice-Chairman; Clemow, McNamer, Perry, Swan, Eggebrecht, Gunderson, Menahan, Prevost, Weeding.

Public Health, Welfare and Safety: Keller, Chairman; Asbjornson, Vice-Chairman; Darrow, Fagg, Fitzgarrald, Marbut, Olson, Edland, Lee, Lien, Norman, Zimmer, Zody.

Rules and Journal: Harrison, Chairman; Mather, Vice-Chairman; Lucas, Fasbender, Christiansen.

State Administration: Swan, Chairman; Burnett, Vice-Chairman; East, Giesick, Marbut, J. Murphy, C. Smith, Ulmer, Bardanouve, Brand, Devine, Greely, Jackson, Staigmiller, Towe.

Townships and Counties: Falkenstern, Chairman; Perry, Vice-Chairman; Nichols, Selstad, C. Smith, Sverdsten, Harper, Hodges, Kendall, Lombardi, Mehrens.

Ways and Means: Ulmer, Chairman; Giesick, Vice-Chairman; Bennett, Keller, Kolstad, Lockwood, Lundgren, Worden, Fashbender, Healy, T. Murphy, Norman, Swanberg, Watt, Yardley.

A motion was made by Harrison that the Speaker appoint a special committee of nine members on Executive Reorganization. Motion carried.

The Speaker appointed the following: Mather, Chairman; Bennett, Swan, Ulmer, Haines, Hall, McGrath, Fleming, Laas.

A motion was made by Harrison that the Speaker appoint a special committee of seven members on Re-apportionment. Motion carried.

The Speaker appointed the following: Fagg, Chairman; Campbell, Vice-Chairman; Aber, Ellerd, Lundgren, Gunderson, Kosena, Robbins, Zody.

Harrison moved that the Speaker appoint a committee of five members on Constitutional Convention. Motion carried.

The Speaker appointed the following: J. E. Murhpy, Chairman; Forester, Ainsworth, Baeth, Bradley.

Harrison moved that the Speaker appoint a committee of seven on Legislative Modernization. Motion carried.

The Speaker appointed the following Committee: Darrow, Chairman; Marbut, Himsl, Kvaalen, Bardanouve, Fashbender, Watt.

REPORTS OF SELECT COMMITTEES

The Committee appointed to notify the Senate that the House was organized, reported that it had so notified the Senate. The committee was discharged.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 1, introduced by Nichols, Asbjornson: A bill for an act entitled: "An act appropriating money for the operation of the Forty-second Legislative Assembly."

Harrison moved that the rules be suspended and that House Bill No. 1 be considered read in full. Motion carried.

Referred to Committee on Appropriations.

House Bill No. 2, introduced by Harrison, Christiansen, Nichols: A bill for an act entitled: "An act relating to the organization and procedures of the Forty-second Legislative Assembly; prescribing the duties and compensation of legislative employees; and specifying an effective date."

Harrison moved that the rules be suspended and that House Bill No. 2 be considered read in full. Motion carried.

Referred to Committee on Appropriations.

House Bill No. 3, introduced by Harrison, Hall, Himsl, Christiansen: A bill for an act entitled: "An act to reorganize the Executive Department of Montana state government in accordance with the constitutional amendment, Chapter I of the Extraordinary Session, Laws of Montana, 1969, adopted at the general election of November 3, 1970, and effective

under the governor's proclamation, November 20, 1970, which provides that: 'All executive and administrative offices, boards, bureaus, commissions, agencies, and instrumentalities of the Executive Department of state government and their respective functions, powers, and duties, except for the Office of Governor, Lieutenant Governor, Secretary of the State, Attorney General, State Treasurer, State Auditor, and Superintendent of Public Instruction, shall be allocated by law among and within not more than twenty (20) departments by no later than July 1, 1973.'; and repealing Sections 27-427, 59-901, and 59-902, R.C.M., 1947." Referred to Committee on Executive Reorganization.

House Bill No. 4, introduced by Kvaalen, McGrath, Christiansen: A bill for an act entitled: "An act amending Section 80-1601, R.C.M., 1947, providing for institutions subject to per diem charge by adding foster home care and group home care provided under the jurisdiction of the Aftercare Division of the Department of Institutions." Referred to Committee on State Administration.

House Bill No. 5, introduced by Asbjornson, Parrish, Robbins, Dye, Lee, Hemstad: A bill for an act entitled: "An act to be known as the 'Territorial Integrity Act of 1971' and to prescribe certain rights and enforcement thereof with respect to the furnishing of electric service; amending Section 14-502, R.C.M., 1947, relating to the purposes for which cooperatives may be organized; and Section 14-530, R.C.M., 1947, relating to definitions and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 7, introduced by Scott, Mather, Yardley: A bill for an act entitled: "An act to approve and legalize and adopt as prima facie the Laws of Montana the second of replacement of Part I of Volume Number 4 and replacement Volume Number 8 of the Revised Codes of Montana, 1947, as published by the publishers and distributors of said codes." Referred to Committee on Judiciary.

REPORTS OF SELECT COMMITTEES

The committee appointed to notify the Governor that the House was organized, reported that it had so notified the Governor. He sent his greetings and good will for a successful session. Committee was discharged.

The House recessed subject to call of the Chair.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 4, 1971

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do pass.

NICHOLS, Chairman

Report adopted.

January 4, 1971

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 2, respectfully report as follows: That House Bill No. 2 do pass.

NICHOLS, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

A motion was made by Harrison that the Order of Business include the Pledge of Allegiance to the Flag at the beginning of each day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

House Bill No. 8, introduced by Watt, Haines, Norman, Ainsworth: A bill for an act entitled: "An act providing for the licensing and regulation of persons in Montana representing themselves as psychologists, and creating a State Board of Psychologist Examiners, prescribing its powers and duties, and providing penalties for violations." Referred to Committee on Public Health, Welfare and Safety.

Motion was made by Harrison that the House adjourn until noon, January 5, 1971.

Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 5, 1971

House convened, pursuant to adjournment, at 12:00 noon.

Mr. Speaker in the Chair.

Invocation by Representative Ulmer.

Pledge of Allegiance to the Flag, by the assembly.

On roll call, all members were present, except Murphy, J. E., and Gerke, both excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal of the First Legislative Day find the same to be correct.

HARRISON, Chairman

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills 1 and 2.

MARKS, Chairman

MOTIONS AND RESOLUTIONS

Motion was made by Harrison that a Necrology Committee be appointed to draft appropriate resolution memorializing deceased members. Motion carried. The Speaker will appoint the Committee later.

Motion was made by Harrison that presently appointed members of Legislative Audit Committee and Legislative Council be retained until their successors are appointed.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 6, introduced by Scott, Cox, Glennen: A bill for an act entitled: "An act providing for construction or replacement of alley approaches without formation of special improvement districts." Referred to Committee on Affairs of Cities.

House Bill No. 9, introduced by Mather, Worden, Haines, Lee, Lombardi, Hall: A bill for an act entitled: "An act amending Sections 47-202, 47-204, 47-205, 47-211, 47-214, 47-215, and 47-216, R.C.M., 1947, being sections of the Montana Consumer Loan Act providing for a supplementary license permitting additional lending authority involving loans in excess of \$1,000 but not exceeding \$5,000, fixing the charges for and other provisions concerning such loans in excess of \$1,000 and relating to insurance which may be provided and increasing examination charges of the commissioner." Referred to Committee on Business and Industry.

House Bill No. 10, introduced by Bardanouve: A bill for an act entitled "An act amending Section 69-6402, R.C.M., 1947, relating to the State Board of Eugenics by providing for the payment of per diem and expenses for the members of the board." Referred to Committee on Public Health, Welfare, Safety.

House Bill No. 11, introduced by Mather, Cox, Parrish, Robbins, Asbjornson, Ainsworth, Worden: A bill for an act entitled: "An act amending Section 93-1205, R.C.M., 1947, providing for the number of trial jurors." Referred to the Committee on Judiciary.

House Bill No. 12, introduced by Mather, Hall, Parrish, Harrison: A bill for an act entitled: "An act to simplify the general certification of acknowledgement provided for in Title 39, Chapter 1, R.C.M., 1947." Referred to Committee on Judiciary.

House Bill No. 13, introduced by Bardanouve, Haines: A bill for an act entitled: "An act to amend Sections 41-801, 41-804, 41-808 and 41-810, R.C.M., 1947, relating to vocational rehabilitation and education." Referred to Committee on Education.

House Bill No. 14, introduced by Robbins, Fagg, Cox, Hall, Lockrem: A bill for an act entitled: "An act amending Section 11-709, R.C.M., 1947, providing four year terms for mayors and aldermen and providing staggered terms for aldermen." Referred to Committee on Affairs of Cities.

House Bill No. 15, introduced by Robbins, Fagg, Cox, Hall, Lockrem: A bill for an act entitled: "An act relating to the maximum rate of interest on bonds issued and special assessments levied by political subdivisions and providing an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 16, introduced by Robbins, Fagg, Cox, Hall: A bill for an act entitled: "An act to amend Section 70-103, R.C.M., 1947, relating to the definition of a public utility, and excluding cities and towns from the jurisdiction of the Public Service Commission of Montana." Referred to the Committee on Business and Industry.

House Bill No. 17, introduced by Keller: A bill for an act entitled: "An act to amend Section 66-1307, R.C.M., 1947, to increase the annual registration fee for optometrists." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 18, introduced by Haines, Worden, Ulmer, Bardanouve: A bill for an act entitled: "An act to amend Section 69-4110,

R.C.M., 1947, relating to functions, powers, and duties of Department of Health." Referred to the Committee on Public Health, Welfare and Safety.

House Bill No. 19, introduced by Keller, Knudsen, Hall, Wolf, Worden, Ainsworth, Campbell, Cox: A bill for an act entitled: "An act to amend Section 10-622, Revised Codes of Montana, 1947, relating to the appointment, removal and salaries of probation officers for the juvenile departments of district courts in the State of Montana; providing for salary increases and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 20, introduced by Haines, Lundgren, McGrath: A bill for an act entitled: "An act to amend Section 64-213, R.C.M., 1947, providing for merchants to detain shoplifters." Referred to Committee on Judiciary.

House Joint Resolution No. 1, introduced by Ainsworth, Haines, Schoonover, Knudsen, Warfield, Worden, Swan, Burnett, Robbins, Wolf, Kendall, Towe: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the Legislative Council conduct a study of public welfare programs administered by the Department of Public Welfare and report its findings, together with recommendations and any necessary implementing legislation to the Forty-third Legislative Assembly. Referred to Committee on Public Health, Welfare and Safety.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Harrison that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading of Bills. Motion carried.

Ulmer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 1 Do Pass.

That House Bill No. 2 Do Pass.

That the Committee rise and report.

ULMER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that rules be suspended and House Bill No. 1 and House Bill No. 2 be considered correctly engrossed and be placed on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measures having been read at length:

House Bill No. 1 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg,

Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lucas, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Pierce, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 100.

Noes: None.

Absent or not voting: Brand, Watt. Total 2.

Excused: J. Murphy, Gerke. Total 2.

House Bill No. 2 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Pierce, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 100.

Noes: None.

Absent or not voting: Brand, Watt. Total 2.

Excused: J. Murphy, Gerke. Total 2.

UNFINISHED BUSINESS

The Speaker made the following changes in committee assignments: Darrow off Public Health, Welfare and Safety; Brown from Affairs of Cities to Public Health, Welfare and Safety; Bennett from Ways and Means to Affairs of Cities; Falkenstern on Ways and Means; Yardley from Judiciary to Public Health, Welfare and Safety; Zimmer from Public Health, Welfare and Safety to Judiciary; Bradley off Constitutional Convention; Parrish on Constitutional Convention.

Harrison moved that the House recess until 1:30.

House resumed. Mr. Speaker in the Chair.

A Senate committee composed of James, Hibbard and Mitchell was admitted and reported the Senate was willing and ready to meet with the House in Joint Session to hear the message of the Governor of Montana.

Members of the Senate were admitted to the House.

Assembly being in joint session, Lt. Governor Judge, occupying the Chair for the joint session, appointed the following committee to notify the Governor that the Senate and House of Representatives had convened in joint assembly and were ready to hear his message: Senators Manning and Mackay, and Representatives Nichols, Haines, and Bardanouve.

Invocation by the Senate Chaplain.

His Excellency, Forrest Anderson, then appeared and was escorted to the rostrum. After being presented to the assembly by the President of the Senate, he delivered his address:

The history of Montana is an epic of hard work, determination and courage.

It is the story of a people who settled an awesome wilderness and built a great progressive state.

It is a story of success and failure and good and bad times.

Today, we stand at the beginning of another decade in the history of Montana.

These are uncertain times.

The people of Montana are troubled by a collection of serious problems.

Yet I believe they are hopeful we can realize some of the great potentials of this state.

Montana is at an important juncture in its history.

Old answers are not sufficient to new questions.

We must seek a new direction.

The voters of this state spoke at the polls last November.

They want action.

They want change.

Referendums to call a constitutional convention and implement reorganization of the executive branch passed by overwhelming margins.

This, in my opinion, is testimony Montanans want something done.

It indicates that the people of this state have experienced too many failed hopes and too few accomplishments.

Montana cannot forever be the land of tomorrow.

Our people cannot live endlessly on expectations.

We must begin today the work that was never done.

This nation is experiencing an economic recession.

Unemployment is at the highest rate since 1963. Real economic growth has declined. And the most severe inflationary spiral in two decades continues upward.

The effects of these conditions are particularly acute on our state government.

Anticipated revenue growth from established sources has not been realized because of unemployment, the decline of our historic industries, and the lack of alternative development.

At the same time, inflation has drastically increased the costs of providing state government services.

The imbalance created by static revenue growth and the increasing cost of government is the immutable dilemma we face.

In times of diminishing income growth, government—like individual citizens—must judiciously control expenditures.

This is such a time.

It is a time for economic realism . . . a time to do what is possible without adding unreasonable taxes to the economic difficulties already affecting the people of this state.

Because this must be done, I am proposing what I believe is a reasonable minimum budget.

It is not an austerity program.

It is a strategy for stability during a period of economic uncertainty.

To increase the effect of our limited revenues, we must initiate a policy of priority funding.

Appropriation responses must be directed toward meeting the most immediate needs and solving the most serious problems of Montana and her people.

I believe the people should determine state priorities.

In Montana, the people have spoken.

Montanans have indicated that they want more efficient government, quality education and protection of the environment.

We must now act on these priorities.

The people have given us an irrevokable mandate to reorganize the executive branch of state government.

This mandate cannot be ignored.

And reorganization should not be delayed by those seeking favored status for particular interest groups.

We have the responsibility to reorganize the executive branch.

More importantly, we have the opportunity to establish responsive and efficient government in Montana.

The initial priorities of this program should be reorganization of the Department of Administration and creation of an effective Department of Revenue. State government must have the capability to properly collect and administer revenue. These are the basic management tools which we must utilize to implement a sound reorganization program.

Good government is good management.

Unfortunately, this concept has rarely been applied in Montana.

In the past, Montana's fiscal policy has been to tax new sources of revenue to support ineffective administration.

It is time for a change.

I believe that before we tax new sources of revenue, we should improve our administrative capabilities to achieve better performance from existing revenue sources.

We cannot expect the people of Montana to subsidize inefficiency forever.

During the past two years, we have successfully applied improved management techniques to the administration of some state agencies.

The results have been encouraging.

But we can do better.

A sound executive reorganization program will allow us to apply good management to the operation of all state agencies.

If we are successful, state government will no longer be paralyzed by archaic administrative procedures.

It will no longer be a mysterious process that wastes too much and takes too long.

Revenue will be expended according to legislative intent.

We will know where the money is going and what it is going for.

A reorganized government will be better able to mobilize our resources to deal with the problems of our people.

Montana must have economic development.

Present unemployment, the decline in personal income and lack of opportunities for our people are unacceptable.

We must become more aggressive in seeking decent employment for Montanans.

We must be able to attract and control stable new industry.

A modern, reorganized government will give Montana a decided advantage in promoting the development of this state and the economic security of its people.

Education is the future happening today.

In Montana, a good education is more than an opportunity. It has become a right.

The people of this state have faithfully supported education throughout the years.

We have excellent primary and secondary schools, fine colleges and universities and one of the best vocational-technical education programs in the northwest.

This educational system is a tribute to Montanans and their faith in the young and belief in the future.

Taxes to support education are heavy, particularly in this inflationary period. But this is not the time to turn away from tomorrow.

I propose that we increase appropriations for education by 28 million dollars in the next biennium. This total will adequately fund the foundation program, university system, vocational-technical education and our long-range building requirements.

Education, however, is not beyond question. I recommend that improved administration and budget controls be applied to all phases of Montana's vast educational system. We must begin to measure the return we are getting at all educational levels.

Our greatest natural resource is our well-educated and talented young people.

Unfortunately, the products of our schools, like all Montana resources, are exported to other states.

We must have more and better employment opportunities to assure young Montanans the right to live and earn a decent income in this state. This can be done only if we get our house in order at all levels of government so that priorities can be established and given meaning.

Only two or perhaps three generations are represented in this Assembly.

There will be many more generations of Montanans.

It is our responsibility to hold the unique environment of this state in trust for our children and their children.

We will be the greatest fools in the history of Montana if we fail to provide for the preservation of our air, water and land.

Time will not excuse us because we didn't know. We are all aware of the environmental destruction that has occurred in other parts of the country. The nation's rivers are becoming a continental sewage system. City skies are hung with acrid shrouds of smog. And natural landscapes have been torn up and replaced by stark concrete horizons.

We cannot allow this to happen in Montana.

To protect the environment, I recommend we appropriate funds to sufficiently staff our air and water pollution control agencies.

I also believe it is essential to improve the quality of water through the construction of secondary sewage facilities in many Montana communities. I recommend we set aside four million dollars as the state share of construction costs. This total will allow us to take full advantage of available federal matching funds.

I strongly urge enactment of the water pollution control legislation developed by the Council on Natural Resources.

We cannot allow the creation of a lunar landscape in eastern Montana as the rich mineral resources of that area are developed. I, therefore, strongly urge the enactment of legislation to assure adequate reclamation.

Effective planning is the first step toward a better future.

Presently, Montana is experiencing haphazard subdivision and commercial development. This is perhaps the most severe threat to our environment.

Sound planning and supportive laws are the only means of preventing the cancerous growth of rural slums and the subsequent environmental problems that have occurred in other parts of the country.

Montana has been bypassed by massive industrialization and the environmental stupidity of that movement.

Most of our natural environment has been protected to this point by good fortune.

We must begin now to protect that environment with good legislation and good administration.

I do not believe we can adjourn this Legislative Session in good conscience knowing the environment will be vulnerable to exploitation for another two years.

Quality of life is more than the great outdoors and the natural environment. It is also social and economic environment. It is employment, opportunity, police protection, hospitals, governmental services and the entire life experience in Montana.

The environmental movement is entirely just and essential.

We cannot, however, sacrifice social and economic progress in Montana to the ideals of environmental totalitarians.

Neither can we sacrifice the environment to uncontrolled industrialism and exploitation.

If extreme environmentalists were to make the decisions, Montana would revert to wilderness.

If irresponsible industrialists were to make the decisions, Montana would become a wasteland.

Neither course is acceptable.

We must stake out the common ground.

Environmental protection and economic development, as I have so often said, are not mutually exclusive.

I believe a sound economy can exist in a quality environment. This is the essential compromise upon which the future depends. And I believe reasonable men, good laws and effective government can strike this balance.

Let us begin now to make Montana a great place to live and work.

Efficiency—education—and environment . . . this is not a slogan nor rhetorical trick. It is a reasonable program to enable state government to do what is necessary in a time when not everything is possible.

Thank you.

Benediction was given by the Chaplain.

The Governor having been escorted from the chamber, it was moved by Senator Dzivi that 1,000 copies of the Governor's message be printed and distributed to the Legislators, state officials and others. Motion carried.

It was moved by Senator Dzivi that the joint assembly be dissolved and that the members of the Senate return to the Senate Chambers.

The joint assembly having been dissolved, the House resumed business at 2:00 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 5, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be hired as attaches for the 42nd Legislative Session, House of Representatives, effective January 4, 1971:

Chief Clerk.....	Zack Stevens
Assistant Chief Clerk.....	Lyle Anderson
Secretary to Chief Clerk.....	Sara Ellen Reid
Secretary to Assistant Chief Clerk.....	Robert K. Pool
Bills Clerk.....	Bernice S. Mitchell
Stenographer to Bills Clerk.....	Dolores Schulke
Journal Clerk.....	Rosella Wilson
Assistant Journal Clerk.....	Edna Mae Leonard
Journal Typist.....	Marie Nikolai
Reading Clerk.....	Dan Staples
Stenographer.....	Jean Berberet
Bills Coordinator.....	Madeline Samson
Printing Clerk.....	Frank A. Smith
Sergeant-at-Arms.....	Robert S. Hanson
Assistant Sergeant-at-Arms.....	E. James Frost
	G. Steve Marbut
	Scott Balsam
Secretary & Payroll Clerk.....	Virginia Michels
Chaplain.....	Pastor Roy Bergquist
Secretary to Speaker.....	Karen Nyberg
Secretary to Majority Leader.....	Virginia Sawyer
Secretary to Minority Leader.....	Ann Jensen

Doorkeepers.....	Samuel H. Fisher Jerry Kirtley Selmer Kolstad
Night Watchmen.....	Larry R. Racicot Timothy Michael Racicot Dan McCarthy Dan Erving James Patrick Foley Bill Guldseth
Mailing Room.....	Orville C. Hanson, Chief Helen Dragnich, Assistant
Clerks.....	Isabel E. Creighton Della I. Ettinger Mercedes G. Hanson Lucille Annette Reiner Alfield M. Robertson Ann Shea
Parking Attendant.....	Robert B. Middlestead

Hall moved that the reading of the report be dispensed with and it be considered read at length. Motion carried.

Engrossing and Enrolling: Harriet A. Celar, Assistant Engrossing	Elizabeth B. Guffey, Chief Jane Brown Jones, Assistant Enrolling
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Proofreaders:

Ethel E. Bell, Chief Beryl May Bielen Patricia M. Poedecker Catherine Bradford Claudia B. Bunn Colleen M. Canty Jean M. Delaney Helen R. Dellwo Turf Finnegan, Runner	Ellen P. Kreis Jane C. Kufeld Zella P. Nielson Hylja Moe D. Nan Parriman Michael W. Ragen, Runner Sherri M. Sewell Peggy Waugh Heien Wilson
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Journal Proofreaders:

Carrie B. Hardgrove	Marjorie P. Zipperian
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Typists:

Kay Rokke, Chief Eleanor E. Bushilla Glenna Christofferson Cynthia C. Fitzgerald Bonnie J. French Charlotte Hoppe Shirley Jenks Helen R. Mayer	Alice J. Merritt Mary Ann Mockel Jo Arlene Nelson Gayle M. Nygaard Janice Saeman Gail M. Smith Carla Jean Teigen Orpha A. Vivian
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Multilith Room:

Agnes R. Srenar, Chief	Florence L. Sternmitz Assistant
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Clerks:

Gary Benson Josephine S. Cope Carol Ann Fister Bennett G. Flage Hilda Harrow Ruth E. Hanson	Sandra Kovick Darlene Lamping Sharon Morgan Randolph M. Murgel Patricia J. Warfield Kathleen Ellen White
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Stenographers:

Martha K. Brass, Chief
 Eve Seeley, Assistant
 Bev Adams
 Karen Cutler
 Pat Kirby
 Vickie Kroll

Geraldine Lowery
 Mavis McCormick
 Sharon Payne
 Jean Stock
 Judy Walters

Committee Secretaries:

Bartley Carson,
 Appropriations.
 Hallie Weydemeyer,
 Agriculture; Environ-
 ment and Resources.
 Marie Hensleigh, Live-
 stock; Constitution, Elec-
 tions and Federal Rela-
 tions; Townships and
 Counties.
 Barbara Lester, Ways and
 Means.

Alice Omang, Judiciary.
 Cathy Castles, Business
 and Industry; State Ad-
 ministration.
 Janette Winterbottom, Fish
 and Game; Education.
 Judy Pratt, Public Health;
 Labor & Compensation.
 Noel Haegen, Highways;
 Affairs of Cities.
 Pat Romine, Legislative
 Modernization.

Pages:

Catherine Ask
 Susie Earley
 Leslie Ann Fuehrer

Bonnie Rae Kukes
 Tom Nordberg
 Lewis Stahl

Security Guards:

Gordon Koterba
 Dennis C. Nebel
 Tom Pocha

Steven Sampson
 George Warn
 Dick J. Yetter

SPIEDE, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

A motion was made by Warfield that House Bill No. 13 be taken from Committee on Education and be placed in Committee on State Administration. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were read first time, appropriations measures at length, and referred to committees:

House Bill No. 21, introduced by Worden, Lockwood, Patrick: A bill for an act entitled: "An act to permit banks to suspend business during an emergency and on any day or days proclaimed as a day or days of mourning, rejoicing, or other special observance." Referred to Committee on Business and Industry.

House Bill No. 22, introduced by Yardley, Warfield: A bill for an act entitled: "An act making it unlawful to use junked motor vehicles for flood control of a navigable stream or for reinforcement of the banks of a navigable stream." Referred to the Committee on Townships and Counties.

House Bill No. 23, introduced by Himsl, Burnett, Patrick, Fasbender, Christiansen, Worden, Bardanouve, Lundgren: A bill for an act entitled: "An act subjecting state and national banks to the Montana Corporation License Tax; and repealing Section 84-1501.4, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 24, introduced by Whitney, Aber, Wolf, Lockrem, Laas,

Lien: A bill for an act entitled: "An act to amend Section 82-1914, R.C.M., 1947, by adding a new paragraph providing that the proceeds from the sale of used and surplus material, supplies, equipment and other personal property of the State Highway Commission be placed in earmarked revenue fund to the credit of the Highway Commission. Referred to Committee on Highways.

House Bill No. 25, introduced by Whitney, Healy: A bill for an act entitled: "An act to amend Section 32-1021 for flagmen escorts—prohibitions against nighttime herding on public highways and affixing a penalty." Referred to Committee on Highways.

House Bill No. 26, introduced by Aber, Dye, Swanberg: A bill for an act entitled: "An act to amend Section 32-21-149, R.C.M., 1947, relating to restrictions placed on tire equipment; permitting the use of specially designed pneumatic tires when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid and fixing penalty." Referred to Committee on Highways.

House Bill No. 27, introduced by Swanberg, Healy, Wolf: A bill for an act entitled: "An act to amend Section 32-3902 for general power of commission to acquire interests in property." Referred to Committee on Highways.

House Bill No. 28, introduced by Fاسبender, Harrison, Dye, Christiansen: A bill for an act entitled: "An act to amend Section 43-310, R.C.M., 1947, providing per diem and expenses of members of the Legislative Assembly." Referred to Committee on Appropriations.

House Bill No. 29, introduced by Himsl, McGrath, Pierce, Yardley, Keller, Mather: A bill for an act entitled: "An act to amend Section 84-1502, R.C.M., 1947, providing deductions in computing income of corporations." Referred to Committee on Ways and Means.

House Bill No. 30, introduced by Himsl, McGrath, Pierce, Yardley, Keller, Mather: A bill for an act entitled: "An act amending Section 84-4905 of the Revised Codes of Montana, 1947, exempting from state income tax the interest received on obligations of the State of Montana or of any political sub-division thereof, and providing an effective date." Referred to Committee on Judiciary.

House Joint Resolution No. 2, introduced by Cox, Lund, Warfield, Lucas, Christiansen, Gunderson, Scott, Harrison: A Joint Resolution of the Senate and House of Representatives of the Forty-second Legislative Assembly of the State of Montana urging the teaching of consumer education in all public schools in Montana. Referred to Committee on Education.

Motion was made by Harrison that the House adjourn until 1:30 p.m. January 6, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 6, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Gerke and J. Murphy, both excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Second Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

January 5, 1971

Mr. Speaker: We, your committee on Legislative Administration, recommend that the following be hired as attaches for the 42nd Legislative Session, House of Representatives. Effective dates as listed.

Dale A. Harris	Legislative Research Aid	1/4
Peggy K. DeHaan	Steno	1/5
Susan M. Wertz	Steno	1/5
Robert C. Tobin	Doorkeeper	1/5
Gladys Alvord	Multilith Clerk	1/5

And further recommend that Dan McCarthy, Night Watchman, be removed from the payroll effective January 4, 1971.

SPILDE, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 6, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 1, introduced by Nichols and Asbjornson, was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House.

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

A motion was made by Harrison that the committee members serving on the Legislative Fiscal Review Committee retain their status until new members are appointed. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees.

House Bill No. 31, introduced by Lucas, Hall, Greely: A bill for an act entitled: "An act creating in the office of the Attorney General a law enforcement standards council; providing for the adoption of regulations to provide minimum standards for employment as a law enforcement officer, for equipment and for procedures; requiring basic training for law enforcement officers appointed after July 1, 1971; and providing for the adoption of regulations with respect to the approval of law enforcement training schools." Referred to Committee on Judiciary.

House Bill No. 32, introduced by Scott, Greely, Hall, Parrish, Towe, Yardley, McKittrick, Swanberg, Bennett, Swan: A bill for an act entitled: "An act amending Section 48-118.1, R.C.M., 1947, providing for delegation of authority from district court judges to clerk of court for determining and entering order on marriage application." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 33, introduced by Scott, Darrow, Bradley, Parrish, Brown, McKittrick; A bill for an act entitled: "The Montana Environmental Protection Act." Referred to Committee on Environment and Resources.

House Bill No. 34, introduced by Marks, Dye, Laas, Giesick, McGrath: A bill for an act entitled: "An act providing for the transfer of authority of state owned motor vehicles to the highway commission; providing for the establishment of a state motor pool for maintenance and storage; providing for regulation and use of vehicles; providing for lettering and identification; providing for records; providing for exceptions; establishing a penalty and repealing Sections 53-501; 53-503; 53-504; 53-505; 53-506; 53-507; 53-508; and 53-510, R.C.M., 1947, and Sections 53-511; 53-512 and 53-513, R.C.M., 1947, enacted as Chapter 181, Laws of 1969." Referred to Committee on State Administration.

House Bill No. 35, introduced by Harrison: A bill for an act entitled: "An act amending Section 95-1909, R.C.M., 1947, providing for only three (3) peremptory challenges on appeals from justice and police courts." Referred to Committee on Judiciary.

House Bill No. 36, introduced by Harrison: A bill for an act entitled: "An act amending Section 4-414, R.C.M., 1947, to clarify and improve existing language providing for closing hours for licensed liquor establishments." Referred to Committee on State Administration.

House Bill No. 37, introduced by Harrison: A bill for an act entitled: "An act to provide that actual notice of a petition for letters of administration must be given to persons having a prior right of administration; amending Section 91-1503, R.C.M., 1947." Referred to Committee on Judiciary.

House Bill No. 38, introduced by Harrison: A bill for an act entitled: "An act amending Section 10-605.1, R.C.M., 1947, providing to include information as to parents in a preliminary inquiry petition concerning a child's delinquency." Referred to Committee on Judiciary.

House Bill No. 39, introduced by Aspevig: A bill for an act entitled: "An act amending Section 84-4920, R.C.M., 1947, to provide that upon notice deficiencies in income tax may be collected after the expiration of the five year period provided in said section, and to provide language to clarify the provisions of said section." Referred to Committee on Ways and Means.

House Bill No. 40, introduced by Bardanouve: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1973; providing for other matters relating to the appropriations; and repealing Chapter 238, Laws of 1969, and Sections 1, 4, 5, 6, 7, 8, and 9, Chapter 375, Laws of 1969."

A motion was made by Harrison that the rules be suspended and House Bill No. 40 be considered read in full. Motion carried.

Referred to Committee on Appropriations.

House Bill No. 41, introduced by Bardanouve: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations."

A motion was made by Harrison that the rules be suspended and House Bill No. 41 be considered read in full. Motion carried.

Referred to Committee on Appropriations.

House Bill No. 42, introduced by Giesick, Yardley: A bill for an act entitled: "An act to amend Section 40-2821, R.C.M., 1947, to provide that the temporary tax on net insurance premiums of two and three-quarters percent (2¾%) be made permanent." Referred to Committee on Ways and Means.

House Bill No. 43, introduced by Kosena: A bill for an act entitled: "An act to amend Sections 69-5401, 69-5402, 69-5403, 69-5404, 69-5405, 69-5407, and 69-5408, R.C.M., 1947, relating to licensing and control of the business of cleaning cesspools, septic tanks, and privies." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 44, introduced by Giesick, Forester: A bill for an act entitled: "An act authorizing cities and counties to impose passenger service charges for the use of public airports by passenger air carriers and providing for reporting, collection, disposition and use thereof." Referred to Committee on Townships and Counties.

House Bill No. 45, introduced by Giesick, Forester: A bill for an act entitled: "An act to amend Section 84-4701.2, R.C.M., 1947, to raise the all-purpose exclusive levy to sixty-five (65) mills." Referred to Committee on Affairs of Cities.

House Bill No. 46, introduced by Warfield, Yardley: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, relating to classification of property for taxation." Referred to Committee on Ways and Means.

House Bill No. 47, introduced by Himsl, Worden, Marbut, Brown, Zimmer: A bill for an act entitled: "An act to provide that all taxable lands, all taxable city and town lots, and all taxable rural and urban improvements be classified or appraised at least once every five years, and that the factors determining timber and timber-land valuation be reviewed at least once every five years; and amending Sections 84-429.7, 84-429.9, 84-429.11, and 84-429.12, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 48, introduced by Himsl, Worden, Marbut, Brown, Zimmer: A bill for an act entitled: "An act amending Section 84-429.8, R.C.M., 1947, to provide an increase in the tax levy for the county 'classification and appraisal fund,' for the purpose of maintaining and keeping current county classifications and appraisals." Referred to Committee on Ways and Means.

House Bill No. 49, introduced by Himsl, Worden, Marbut, Zimmer: A bill for an act entitled: "An act imposing a real estate transfer tax." Referred to Committee on Ways and Means.

House Bill No. 50, introduced by Harper, Kosena, Lee, Lombardi, Quilici, Clemow: A bill for an act entitled "An act providing for additional punishment for persons convicted of a felony the perpetration of which involved the use of a firearm." Referred to Committee on Judiciary.

UNFINISHED BUSINESS

The Speaker appointed the following to serve on the Necrology Committee; Forester, Chairman; Brown, Vice-Chairman; Sverdsten, Staigmiller and Lien.

Harrison made a motion that the House adjourn until 1:30 p.m. January 7, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 7, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Gerke, J. Murphy, both excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Third Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

January 7, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend the following be hired as attaches for the 42nd Legislative Session, House of Representatives. Effective dates as listed.

Michael F. Sanders.....	Night Watchman	1/4
Marie Anderson.....	Proofreader	1/7
Pat Morgan.....	Multilith Clerk	1/7
Ann D. Richeson.....	Mailing Clerk	1/7
D. John Blacker.....	Multilith Clerk	1/7

And further recommend that Orpha Vivian be changed from typist to proofreader effective 1/6/71 and Geraldine Lowery be changed from steno to proofreader effective 1/6/71.

And further recommend that Larry Racicot be removed from the payroll 1/4/71.

SPILDE, Chairman

Report adopted.

January 7, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 do pass.

WOLF, Chairman

Report adopted.

January 7, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 26, respectfully report as follows: That House Bill No. 26 be amended as follows:

Be amended on page 2, line 10, following the word "of" striking the word "April", and inserting in lieu thereof the word "May".

and be further amended on page 2, line 10, following the word "year" by adding the words "except that one such tire may be used for a spare in case of tire failure".

And as so amended, do pass.

WOLF, Chairman

Report adopted.

January 7, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 27, respectfully report as follows: That House Bill No. 27 do pass.

WOLF, Chairman

Report adopted.

January 7, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 do pass.

WARFIELD, Chairman

Report adopted.

January 7, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 7, respectfully report as follows: That House Bill No. 7 do pass.

SCOTT, Chairman

Report adopted.

January 7, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 do pass.

SWAN, Chairman

Report adopted.

January 7, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 12, respectfully report as follows: That House Bill No. 12 do pass.

SCOTT, Chairman

Report adopted.

January 7, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 8, respectfully report as follows: That House Bill No. 8 be amended as follows:

Be amended on page 12, section 11, subsection (d), line 8, after the word "fee" by striking the number [\$10.00] and inserting "\$20.00 to \$50.00. The Board is hereby empowered to set the annual renewal fee annually within the above limits."

And be further amended on page 13, section 14, by adding the following new material "(2) Nothing in this act shall be construed as permitting psychologists to prescribe drugs, perform surgery or administer electroconvulsive therapy." following line 15.

(Material in brackets denotes cancelled type.)

And as so amended, do pass.

KELLER, Chairman

Report adopted.

January 5, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 28, respectfully report as follows: That House Bill No. 28 be amended as follows:

Be amended on page 1, section 1, subsection (2), line 22, after the word ["fifteen"], by striking the word "thirty-five", and inserting in lieu thereof the word "twenty-five", and

be further amended on page 1, section 1, subsection (2), line 23, after the figure ["(\$15.00)"] by striking the figure "\$35.00", and inserting in lieu thereof the following figure "(\$25.00)", and

be it further amended on page 1, section 1, subsection (2), line 23, after the word "except", insert the new material "the President of the Senate", and

be further amended on page 1, section 1, subsection (2), line 24, after "receive", by striking the word "forty", and inserting in lieu thereof the word "thirty" and

be further amended on page 1, section 1, subsection (2), line 25, before the word "per", by striking the figure "(\$40.00)", and inserting in lieu thereof the following figure "(\$30.00)".

And as so amended, do pass.

NICHOLS, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Scott moved that House Bill No. 30 be removed from the Committee on Judiciary and placed in Committee on Ways and Means. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 51, introduced by Snortland, Robbins, Norman, Olson: A bill for an act entitled: "An act to provide for licensing clinical laboratory personnel." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 52, introduced by Bardanouve, Marbut, Harrison, Christiansen, Hall, Haines, Fasbender: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article IX of the Constitution of Montana changing the legal voting age to eighteen (18) years of age and to remove obsolete language." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 53, introduced by Cox, Glennen, Forester, Campbell, Kendall, Bradley: A bill for an act entitled: "Population Centers—City Road Fund—County Road Fund. Amending Section 32-3702-3703 and repealing Section 32-3704, R.C.M., 1947." Referred to Committee on Affairs of Cities.

House Bill No. 54, introduced by Mather, Devine, Scott: A bill for an act entitled: "An act amending Section 66-411, relating to the practice of barbering, increasing the fees charged for an annual license fee, and increasing the initial inspection fee of barber shops." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 55, introduced by Mather, Greely, McNamer: A bill

for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and providing that this act may be cited as 'The 1971 Bond Validating Act'; containing a repealing clause and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 56, introduced by Cox, Glennen, Harper, Kendall, Robbins, Forester, Campbell: A bill for an act entitled: "An act establishing [the limitations on] the amount of taxes to be assessed for general municipal or administrative purposes, providing [a levy] for parks, swimming pools, skating rinks, play grounds, youth centers and other purposes; [providing for a levy for recreational uses;] amending Section 84-4701, R.C.M., 1947." Referred to Committee on Affairs of Cities.

(Material in brackets denotes cancelled type.)

House Bill No. 57, introduced by East, Lombardi, Lee, Clemow: A bill for an act entitled: "An act to amend Section 87-111, R.C.M., 1947, which section is a part of the Unemployment Compensation Law, by including as a part of the Unemployment Compensation account, payments made in lieu of contributions by non-profit organizations and the state and its political subdivisions in conformity with Public Law 91-373, Employment Security Amendments of 1970." Referred to Committee on Labor and Compensation.

House Bill No. 58, introduced by East, Lee, Lombardi, Glennen: A bill for an act entitled: "An act to amend Section 87-135, R.C.M., 1947, which section is a part of the Unemployment Compensation Law, by providing penalties for filing delinquent contribution reports; amending the penalty and interest provisions on past-due contributions; deleting language no longer applicable." Referred to Committee on Labor and Compensation.

House Bill No. 59, introduced by Wolf: A bill for an act entitled: "An act to amend Section 32-2146, R.C.M., 1947, to provide authority for the Highway Commission to establish speed zones on state and federal-aid highways in municipal and urban areas." Referred to Committee on Highways.

House Bill No. 60, introduced by Wolf: A bill for an act entitled: act entitled: "An act to amend Section 87-105 of the Unemployment Compensation Law, R.C.M., 1947, by amending the benefit eligibility conditions to require requalifying work as a condition of qualification for benefits in a second benefit year; and conditions for payment of benefits based on service with nonprofit organizations and state hospitals and institutions of higher education in conformity with Public Law 91-373, Employment Security Amendments of 1970." Referred to Committee on Labor and Compensation.

House Bill No. 61, introduced by Selstad: A bill for an act entitled: "An act to amend Section 32-1126, R.C.M., 1947, authorizing peace officers, highway patrolmen and certain state employees to weigh vehicles and loads for statutory weight compliance and authorizing maintenance of weigh stations on intermittent or continuous schedules." Referred to Committee on Highways.

House Bill No. 62, introduced by Selstad: A bill for an act entitled: "An act to amend Section 93-9913, Revised Codes of Montana, 1947, providing for the payment of interest in eminent domain proceedings, establishing dates for computation." Referred to Committee on Highways.

House Bill No. 63, introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to provide that the state welfare lien for assistance granted to persons on old age assistance and aid to disabled shall not be removed or in any way ineffective upon a tax assignment or tax sale

or tax deed to the same real property where said tax sale, assignment or deed is directly or indirectly to or through blood relatives of the recipient; amending Section 71-247." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 64, introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to amend Section 71-1524 for the purpose of clarifying the wording and meaning of said statute in relation to an exclusion of lien for medical assistance paid and providing for recoveries from certain estates." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 65, introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to remove the residence requirement for persons applying for aid to the needy blind; amending Section 71-604." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 66, introduced by Darrow, Lucas, Lundgren, Mather, Christiansen, Fasbender, Cox, Harrison, Schoonover, Fagg, Nichols, Ainsworth, Jackson, Johnston, Bradley, Scott, Ulmer, Hemstad, C. Smith, Keller: A bill for an act entitled: "An act to establish a state policy for the environment and to establish an Environmental Quality Council and setting forth its powers and duties." Referred to Committee on Environment and Resources.

House Bill No. 67, introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to remove the residence requirement for persons applying for aid to dependent children; amending Section 71-504." Referred to Committee on State Administration.

House Bill No. 68, introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to remove the residence requirement for persons applying for old age assistance; amending Section 71-402." Referred to Committee on State Administration.

House Bill No. 69, introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to remove the residence requirement for persons applying for aid to disabled; amending Section 71-1202." Referred to Committee on State Administration.

House Bill No. 70, introduced by Selstad: A bill for an act entitled: "An act creating limited access highways, establishing policy, powers of highway authorities, standards and designs, closures of road and streets, defining abutters rights, providing for acquisition of property, providing for public hearings and procedures, providing for adoption of plans and publication, approval by city, town and counties, adopting of plans establishing a board of review and providing for procedure, findings and appeals, establishing enforcement of laws, repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 71, introduced by Burnett, Johnston: A bill for an act entitled: "An act amending the Store License Laws by deleting the provision that all stores may be listed on one application blank, by providing that all store licenses shall lapse December 31 of each calendar year, and by excluding vending machines from the act; and amending Sections 84-2402, 84-2404, and 84-2410, R.C.M., 1947." Referred to Committee on Business and Industry.

House Bill No. 72, introduced by Patrick, Dye, Lockwood, Lanthorn, Bradley: A bill for an act entitled: "An act providing for the salaries of commissioners and mayor under the commission-manager plan of city government and amending Section 11-3248, R.C.M., 1947." Referred to Committee on Affairs of Cities.

House Bill No. 73, introduced by Cox, Glennen, Robbins, Forester, Campbell, Kendall, Aber, Bradley: A bill for an act entitled: "An act

providing for an all-purpose annual mill levy for cities and towns: 84-4701, R.C.M., 1947." Referred to Committee on Affairs of Cities.

House Bill No. 74, introduced by Cox, Glennen, Campbell, Eggebrecht, Kendall, Forester: A bill for an act entitled: "An act to provide for the method of extending boundaries of cities or towns of the first, second, or third class; and amending Section 11-403, R.C.M., 1947." Referred to Committee on Affairs of Cities.

House Bill No. 75, introduced by Cox, Glennen, Robbins, Forester, Aber, Campbell, Kendall, Giesick: A bill for an act entitled: "An act establishing the amount of taxes to be assessed for road, street, or alley purposes amending Section 32-3601, R.C.M., 1947." Referred to Committee on Affairs of Cities.

House Bill No. 76, introduced by McKittrick, Fasbender, Lombardi, Darrow, Lee, Greely, Menahan, Towe, Keller, Bennett, Harrison: A bill for an act entitled: "An act concerning the limitation of hours of labor for female employees to eight (8) hours; amending Section 41-1120 and repealing Section 41-1118, R.C.M., 1947." Referred to Committee on Labor and Compensation.

House Bill No. 77, introduced by Dye: A bill for an act entitled: "An act to delete erroneous Revised Codes of Montana reference citations in the special fuel tax laws and insertion therein of correct citations; amending Sections 84-1832 and 84-1833, R.C.M., 1947." Referred to Committee on Judiciary.

House Bill No. 78, introduced by Dye: A bill for an act entitled: "An act deleting that provision regarding refunds on aviation gasoline tax allocated to the State Aeronautics Commission by Section 1-501, R.C.M., 1947, from the definition section of the Gasoline License Tax laws and inserting same into its proper position in the refund procedure section of said Gasoline License Tax laws; amending Sections 84-1846 and 84-1855, R.C.M., 1947." Referred to Committee on Judiciary.

House Bill No. 79, introduced by Robbins, Fagg, Cox, Nichols, Bradley, Parrish, Hall: A bill for an act entitled: "An act providing for building restrictions and zoning and subdivision regulations by cities, towns and counties; providing for boards of adjustment and the duties thereof; providing for city, county, city-county, and regional planning boards; providing definitions; providing qualifications for members of boards; providing for a comprehensive plan and a jurisdictional area; providing for plats of subdivisions; providing for planning and zoning districts; amending Sections 11-2702, 11-2703, 11-2707, 11-3801, 11-3803, 11-3810, 11-3811, 11-3812, 11-3815, 11-3825, 11-3830, 11-3831, 11-3842, 11-3843, 11-3844, 11-3846, 11-3847, 11-3848, 11-3851, R.C.M., 1947, and adding new Sections 11-3830.2, 11-3831.1, 11-3831.2, and 11-3859, and amending Sections 16-4101, 16-4702, 16-4703, 16-4704, 16-4705, 16-4706, 16-4708, and 16-4711, R.C.M., 1947." Referred to Committee on Townships and Counties.

House Bill No. 80, introduced by Giesick, Parrish, Snortland: A bill for an act entitled: "An act to provide that any person who operates a motor vehicle in this state shall be deemed to have given consent to a chemical test or tests of blood, breath, saliva or urine for the purpose of determining the alcoholic content of his blood; specifying those persons who are qualified to withdraw blood for the purpose of determining the alcoholic content when requested by a law enforcement officer; providing that the person tested may have a qualified person administer a chemical test in addition to the one administered by the direction of the law enforcement officer; providing that the test results shall be made available to the person so tested upon his request; providing that the consent of a person incapacitated of refusing is not withdrawn; authorizing the Montana Highway Patrol Board to revoke the license of persons refusing to submit to a chemical test; providing that law enforcement officers must

furnish board with affidavit of refusal; providing the person whose privilege to drive has been revoked with a hearing before the district court; providing interpretation of chemical tests; providing that proof of refusal shall be admissible in any criminal action; providing that this action shall not limit the introduction of other competent evidence; providing for short title; providing for constitutionality; repealing all acts or parts of acts in conflict herewith and providing for a notice statement to be contained in drivers' licenses and permits hereafter issued." Referred to Committee on Judiciary.

House Bill No. 81, introduced by Christiansen, Swanberg, Patrick, Dye: A bill for an act entitled: "An act to authorize the creation of funds to promote, establish and maintain recreational and other activities of the elderly, and providing for a special levy." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 82, introduced by Zody, Olson, McGrath, Norman: A bill for an act entitled: "An act amending Sections 69-4509 and 69-4510, R.C.M., 1947, by revising the qualifications of a local health officer." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 83, introduced by Harrison: A bill for an act entitled: "An act relating to persons engaged in the business of servicing, repairing, maintaining, installing or modifying television and/or radio receiving equipment, including antenna receiving systems, providing for the investigation, licensing and regulation of such persons." Referred to Committee on Business and Industry.

House Bill No. 84, introduced by Himsl, Lundgren, Mather, Patrick, Keller: A bill for an act entitled: "An act to amend Section 84-4905, R.C.M., 1947, to provide for uniform treatment of retirement income by exempting all retirement pensions or annuities not in excess of \$3,600." Referred to Committee on Ways and Means.

House Bill No. 85, introduced by Ainsworth, Darrow, Bradley, Schoonover, Swan, Bardanouve, Marbut, Norman, Keller, Bennett, Watt, Christiansen, Ulmer, Baeth, Lucas, Olson, Haines, Campbell, Worden, Lundgren, Kendall, T. L. Murphy, Fitzgarrald, Towe, Brown, Parrish, Johnston, C. Smith, Nichols, Scott, Forester, Prevost, Eggebrecht, Sverdsten, Lanthorn, Lockwood, Zimmer, Anderson: A bill for an act entitled: "An act to revise the Water Pollution Control Act by placing administration of the act with the Department of Health under policy guidance from the Board of Health; redefining the meaning of pollution; broadening the activities under which a permit must be gained under Section 69-4806, R.C.M., 1947; defining the duties of the Board of Health and Department of Health; including as a member of the State Water Pollution Advisory Council, the Commissioner of Agriculture and a representative of an organization concerned with fishing for sport; changing the name of the State Water Pollution Control Council to the State Water Pollution Advisory Council and redefining its function; providing for a director of water pollution control; enacting a new hearing and appeals procedure; adopting a new emergencies procedure; amending Sections 69-4801, 69-4802, 69-4804, 69-4805, 69-4806, 69-4810, 69-4811, 69-4812, 69-4813, and 69-4814, R.C.M., 1947, and repealing Sections 69-4803, 69-4807, 69-4808, 69-4809, 69-4815, 69-4816, 69-4817, 69-4818, and 69-4819, R.C.M., 1947." Referred to Committee on Environment and Resources.

House Bill No. 86, introduced by East, McKittrick, Hodges: A bill for an act entitled: "An act to amend Section 87-129, which section is a part of the Unemployment Compensation Law, by redefining the responsibilities of the commission in participating in the arrangements approved by the Secretary of Labor for combining wages in employment in two or more states in conformity with Public Law 91-373, Employment Security Amendment of 1970." Referred to Committee on Labor and Compensation.

House Bill No. 87, introduced by Harrison, Lucas: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M., 1947, by providing for one group insurance program administered by the Board of Examiners." Referred to Committee on State Administration.

Motion by Harrison that the House recess until 3:00 p.m. today. Motion carried.

House resumed at 3:00 p.m.

Mr. Speaker in the Chair.

(Material in brackets denotes cancelled type.)

MESSAGES FROM THE SENATE

January 7, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 1, introduced by James.

Senate Bill No. 2, introduced by James.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 98, introduced by Keller, Brown, Selstad, Bradley, Cox, Haines, Aber, Lundgren, Burnett, Dye, Lockwood, Bennett: A bill for an act entitled: "An act to change age requirements and to bar discrimination in ages due to sex; amending Sections 4-161, 4-330, 4-337, 4-413, 4-439, 4-502, 4-504, 4-506, 11-951, 11-1602, 41-1135, 41-1136, 48-143, 59-301, 61-203, 64-101, 75-8702, 81-407, 81-908, 93-1301, 93-1002, 94-35-106, 94-35-106.2, R.C.M., 1947." Referred to Committee on Judiciary.

Senate Bill No. 1, introduced by James: A bill for an act entitled: "An act for the codification and general revision of laws relating to public schools and making this act effective upon passage and approval; amending Section 10-307, R.C.M., 1947, and repealing Sections 75-101 through 75-107, 75-1201.1, 75-1202 through 75-1206, 75-1301 through 75-1308, 75-1311, 75-1312, 75-1313, 75-1315, 75-1316, 75-1317, 75-1319, 75-1320, 75-1401 through 75-1406, 75-1501 through 75-1510, 75-1512 through 75-1526, 75-1528 through 75-1535, 75-1601 through 75-1626, 75-1628 through 75-1632, 75-1632.1, 75-1633 through 75-1647, 75-1701 through 75-1706, 75-1708, 75-1709, 75-1710, 75-1712, 75-1713, 75-1713.1, 75-1714 through 75-1723, 75-1723.1, 75-1724 through 75-1730, 75-1801 through 75-1813, 75-1813.1, 75-1814 through 75-1823, 75-1825 through 75-1834, 75-1901 through 75-1905, 75-2001 through 75-2009, 75-2011 through 75-2017, 75-2101 through 75-2105, 75-2201 through 75-2215, 75-2301, 75-2302, 75-2303, 75-2401 through 75-2405, 75-2405.1, 75-2406 through 75-2411, 75-2501, 75-2506, 75-2511 through 75-2516, 75-2518 through 75-2522, 75-2701 through 75-2709, 75-2709.1, 75-2709.2, 75-2710 through 75-2716, 75-2801, 75-2802, 75-2901 through 75-2910, 75-3101, 75-3102, 75-3104 through 75-3125, 75-3201, 75-3202, 75-3203, 75-3308 through 75-3311, 75-3401 through 75-3414, 75-3501, 75-3503 through 75-3511, 75-3610, 75-3611, 75-3612, 75-3612.1,

75-3612.2, 75-3612.3, 75-3613 through 75-3624, 75-3701, 75-3706, 75-3709 through 75-3714, 75-3716 through 75-3720, 75-3722 through 75-3729, 75-3729.1, 75-3734 through 75-3742, 75-3801 through 75-3806, 75-3901 through 75-3946, 75-4001 through 75-4007, 75-4101, 75-4103 through 75-4113, 75-4115 through 75-4118, 75-4120, 75-4120.1, 75-4120.2, 75-4120.3, 75-4121 through 75-4144, 75-4146 through 75-4153, 75-4201 through 75-4228, 75-4230 through 75-4242, 75-4244 through 75-4248, 75-4309 through 75-4323, 75-4413 through 75-4430, 75-4501 through 75-4506, 75-4511, 75-4512, 75-4514, 75-4515, 75-4516.1, 75-4516.2, 75-4517, 75-4518, 75-4518.1, 75-4519 through 75-4527, 75-4529 through 75-4535, 75-4537, 75-4538, 75-4540, 75-4601 through 75-4607, 75-4609 through 75-4614, 75-4701 through 75-4709, 75-4801 through 75-4809, 75-5001 through 75-5007, 75-5101, 75-5310 through 75-5317, 75-5401 through 75-5405, 75-5501 through 75-5508, R.C.M., 1947." Referred to Committee on Education.

Senate Bill No. 2, introduced by James: A bill for an act entitled: "An act to be known as the Montana Higher Education Code for the codification and revision of the laws pertaining to higher education, including the Montana University System; repealing Sections 75-107, 75-108, 75-109, 75-216 through 75-223, 75-301 through 75-314, 75-401 through 75-416, 75-501 through 75-515, 75-601 through 75-611, 75-701 through 75-738, 75-801 through 75-811, 75-901 through 75-907, 75-1001 through 75-1006, 75-1101 through 75-1104, 75-1201.1, 75-2014, 75-4707, R.C.M., 1947; providing a severability clause and providing the effective date of this act." Referred to Committee on Education.

Harrison moved that the House adjourn until 1:30 p.m., January 8, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 8, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain, and Pledge of Allegiance to the Flag by the Assembly.

On roll call all members were present except J. Murphy, Gerke, Olson, Giesick, Darrow, Perry, all excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fourth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

January 8, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 7, 12, 24, 27, 13 and 28, and House Joint Resolution No. 2, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 7, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 1.

MARKS, Chairman

January 7, 1971

I have examined House Bill No. 1 introduced by me and find the same to be correct.

NICHOLS

The Speaker signed the following House Bill in open session, the title having first been read: House Bill No. 1.

REPORTS OF STANDING COMMITTEES

January 8, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be hired as attaches for the 42nd Legislative Session, House of Representatives. Effective dates as listed.

Charles D. Sullivan	Night Watchman, 1/4
Louise B. Fulbright	Stenographer, 1/7

SPILEDE, Chairman

Report adopted.

January 8, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 2, respectfully report as follows: That Senate Bill No. 2 be concurred in.

WARFIELD, Chairman

Report adopted.

January 8, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 15, respectfully report as follows: That House Bill No. 15 do pass.

COX, Chairman

Report adopted.

January 8, 1971

Mr. Speaker: We, your committee on Education, having had under consideration Senate Bill No. 1, respectfully report as follows: That Senate Bill No. 1 be concurred in.

WARFIELD, Chairman

Report adopted.

January 8, 1971

Mr. Speaker: We, your committee on Affairs of Cities, having had under consideration House Bill No. 6, respectfully report as follows: That House Bill No. 6 be amended on page 1, Section 1, line 22 of the bill after the word and punctuation "replaced" by adding the following new material, "what constitutes an alley approach shall be defined by the city council of each municipality which orders in alley approaches as provided in this section." and as so amended, do pass.

COX, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 8, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence: Senate Bill No. 8, introduced by McKeon, Bennett and Reardon.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

January 6, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 2 introduced by Harrison, Christiansen and Nichols was this day read third time and concurred in as amended, title and history agreed to and is herewith returned to the House for concurrence in Senate Amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that rules be suspended and that House Bills 24, 7, 28, 13, 27 and 12, and House Joint Resolution No. 2 be placed on second reading this day. Motion carried.

Swan moved that House Bills 67, 68, 69 be taken from the Committee on State Administration and be placed in Public Health, Welfare and Safety. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 88, introduced by Bardanouve: A bill for an act entitled: "An act amending Section 53-106, R.C.M., 1947, relating to motor vehicle license plates by providing that the additional fee of fifty (50) cents per year shall be charged only for years in which reflectorized license plates are issued." Referred to Committee on Highways.

House Bill No. 89, introduced by Swan, Jackson, Burnett, Anderson, Aber: A bill for an act entitled: "An act to amend Sections 84-4903.2 and 84-4942, R.C.M., 1947, relating to the deducting and withholding from payments of wages." Referred to Committee on Ways and Means.

House Bill No. 90, introduced by Scott, Selstad, Lockrem, Mather: A bill for an act entitled: "An act to amend Section 25-227, and 25-229, R.C.M., 1947, providing fees and expenses for board of prisoners." Referred to Committee on State Administration.

House Bill No. 91, introduced by Wolf, by request: A bill for an act entitled: "An act to amend Section 31-134, R.C.M., 1947, providing for written and visual testing upon renewal of driver licenses; and providing an effective date." Referred to Committee on Highways.

House Bill No. 92, introduced by Wolf, by request: A bill for an act entitled: "An act to amend Section 31-135, R.C.M., 1947, creating a new Section 31-135.1 and amending Section 31-138, R.C.M., 1947, increasing the life of a driver's license from two (2) to four (4) years; changing

the fees for driver licenses and duplicate licenses, creating a fee for motorcycle endorsement; and providing an effective date." Referred to Committee on Highways.

House Bill No. 93, introduced by Wolf, Laas: A bill for an act entitled: "An act to amend Section 53-420, R.C.M., 1947, increasing the fee requirement of operating record from one dollar (\$1.00) to two dollars and fifty cents (\$2.50)." Referred to the Committee on Highways.

House Bill No. 94, introduced by Wolf, by request: A bill for an act entitled: "An act to amend Sections 31-120, 31-125, 31-126, 31-127, 31-128, 31-129, 31-130, 31-131, 31-134, 31-135, 31-136, 31-137, 31-138, 31-140, 31-142, 31-143, 31-144, 31-145, 31-146, 31-147, 31-148, 31-151, 31-153, 31-157, 31-158, 31-161, and 75-3308, R.C.M., 1947, providing for classification of driver's licenses, deleting necessary references to operator's and chauffeur's, deleting Section B of 31-134 referring to a defunct grandfather's clause, requiring non-resident licensed drivers to comply with restrictions imposed in his home state or country, providing that licenses to be classified under this act not be classified until such license is renewed, and providing an effective date." Referred to Committee on Highways.

House Bill No. 95, introduced by Bardanouve: A bill for an act entitled: "An act appropriating sixteen thousand six hundred fifty dollars (\$16,650) for state of Montana dues to the council of state governments for the 1971-1973 biennium."

Harrison moved that the rules be suspended and that House Bill No. 95 be considered read at length. Motion carried.

Referred to Committee on Appropriations.

House Bill No. 96, introduced by Ulmer, Robbins, Parrish, Asbjornson: A bill for an act entitled: "An act providing for special or rural improvement district type bonding for flood control and water conservation projects; amending Section 89-3312, R.C.M., 1947." Referred to Committee on Agriculture.

House Bill No. 97, introduced by Falkenstern, Whitney, Aspevig, Prevost, Eggebrecht, Worden: A bill for an act entitled: "An act to amend Section 77-1002, R.C.M., 1947, to provide for hiring veterans of the Korean war and the Vietnam conflict." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 99, introduced by Haines: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M., 1947, by deleting the words 'or plans' and providing for one group insurance program administered by the Board of Examiners." Referred to Committee on State Administration.

House Bill No. 100, introduced by Lundgren, McNamer, Lanthorn: A bill for an act entitled: "An act to amend Section 94-3527, R.C.M., 1947, providing exceptions for carrying concealed weapons." Referred to Committee on Judiciary.

House Bill No. 101, introduced by Yardley, Worden: A bill for an act entitled: "An act to require insurers transacting malpractice insurance to include in their annual statement to the insurance commissioner certain statistics and information." Referred to the Committee on Business and Industry.

House Bill No. 102, introduced by Haines, Campbell, Ainsworth, Worden, Marbut, Watt, Norman: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, providing an increase in maximum retirement benefits allowable for classification of property." Referred to Committee on Ways and Means.

House Bill No. 103, introduced by Ulmer, Swanberg, Greely: A bill for an act entitled: "An act to prohibit insurers from cancelling a pro-

fessional liability insurance policy or increasing the premium rates thereon without first providing the insured sixty (60) days notice in writing prior to such cancellation or increase in premium rate." Referred to Committee on Judiciary.

House Bill No. 104, introduced by Ulmer, Giesick, Harper, Kolstad, Wolf, Glennen, Harrison, Lombardi, Swanberg, Bennett, Greely, Cox, Devine, Lee, Campbell, Patrick, Quilici, Healy, Clemow, Staigmiller, Zody, Fasbender, Fagg, Lucas, McKittrick, Worden, Eggebrecht, Towe, T. Murphy, Nichols, Pierce, Lanthorn, Watt, Brand, Swan, Prevost, Schoonover, Yardley, Fleming, Weeding, Keller: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M., 1947, relating to group hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of public employees and their dependents by increasing the employer contribution thereto." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 105, introduced by Harrison, Scott, Giesick, Greely, Mather, Patrick, Cox, Swanberg, Lundgren, Healy, Hall, Christiansen, Fasbender, Bennett, Perry, Yardley, Harper, Haines, Glennen, Zody, Fagg, Lucas, McKittrick, Warfield, Worden, Eggebrecht, Towe, T. Murphy, Nichols, Pierce, Lanthorn, Watt, Brand, Swan, Prevost, Staigmiller, Fleming, Weeding, Keller: A bill for an act entitled: "An act adding new Section 59-1008, R.C.M., 1947, to provide uniform sick leave benefits for public employees." Referred to Committee on State Administration.

House Bill No. 106, introduced by Scott, Christiansen, Dye, Harrison, Pierce, Lucas, Ulmer, McGrath: A bill for an act entitled: "An act amending Section 4-403, R.C.M., 1947, to provide for the issuance of resort liquor licenses by the Montana Liquor Control Board." Referred to Committee on Business and Industry.

House Bill No. 107, introduced by Mather, Hemstad, Bardanouve, Kosena: A bill for an act entitled: "An act to provide for the filing of declarations of estimated income tax if income not subject to withholding is \$1,000 or more and estimated tax can reasonably be expected to exceed \$50, and to provide a penalty for underpayment of estimated tax; and to amend Section 84-4939, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 108, introduced by Mather, Hemstad, Bardanouve, Kosena: A bill for an act entitled: "An act to repeal Sections 84-4939 and 84-4940, R.C.M., 1947, relating to deceleration of estimated income tax and installment payments thereof." Referred to Committee on Ways and Means.

House Bill No. 109, introduced by Harper, by request: A bill for an act entitled: "An act to amend Section 4-235, R.C.M., 1947, to remove the limitation of outstanding indebtedness which may be incurred by the Montana Liquor Control Board." Referred to Committee on State Administration.

House Joint Resolution No. 3, introduced by Hodges: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting President Nixon to announce a deadline of July 1, 1971, for the total withdrawal of all U. S. Armed Forces from Viet Nam and all of Southeast Asia, urging all Montana Congressional Delegation and the Governor of Montana to lend them support to this urgent request. Referred to Committee on Constitution, Elections, and Federal Relations.

House Joint Resolution No. 4, introduced by Affairs of Cities Committee: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, and to the Congress of the United States asking that

the present tax-exempt status of bonds issued by the State of Montana or any political subdivision thereof be maintained. Referred to Committee on Affairs of Cities.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Mather in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 24 do pass.

That consideration of House Bill No. 7 be passed for the day.

That House Bill No. 28 be amended in Section 1 by striking out in line 6, page 2, the figures and marks "(4)" and insert in lieu thereof the words and figures "Section 2" and as amended, do pass.

That House Bill No. 13 do pass.

That House Bill No. 27 do pass.

That House Bill No. 12 do pass.

That House Joint Resolution No. 2 do pass.

That the Committee rise and report and beg leave to sit again.

MATHER, Chairman

Mather moved for adoption of the Committee report. A substitute motion was made by Hall that House Bill No. 28 be segregated and that the Committee report be adopted as amended. Motion carried.

Report adopted as amended.

MOTIONS AND RESOLUTIONS

A motion was made by Harrison that Senate Amendments to House Bill No. 2 be placed on Second Reading for action this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Mather in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 28 be amended in the Title by adding in line 8, following the word "assembly" the words "and providing that such per diem and expenses shall be effective for the 42nd Legislative Assembly and all sessions thereafter"

And further amend in Section 1 by striking out in line 6, page 2, the figures and marks "(4)" and insert in lieu thereof the words and figures "Section 2" and as amended do pass.

That Senate Amendments to House Bill No. 2 be concurred in.

That the Committee rise and report.

MATHER, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

The following Senate Amendments to House Bill No. 2 were concurred in by the following vote without objection:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fas-bender, FitzgarraId, Fleming, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Kosena, Laas, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Pierce, Prevost, Quilici, Robbins, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverd-sten, Swan, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 83.

Noes: Bennett, Keller, Knudsen, Kolstad, Kvaalen, Lanthorn, Marbut, Patrick, Warfield, Yardley. Total 10.

Paired: Forester, No; Haines, Aye. Total 2.

Absent or not voting: Brand, Schoonover, Shelden. Total 3.

Excused: Darrow, Gerke, Giesick, J. Murphy, Olson, Perry. Total 6.

MOTIONS AND RESOLUTIONS

A motion was made by Hall that the Rules Committee rule on whether amendments to bills be to the original bill or be made to the introduced bill. Motion carried.

Harrison moved that the House adjourn until 1:30 p.m., January 11, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 11, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag by the assembly.

On roll call all members were present except Clemow, Cox, Darrow, Dye, Fagg, Forester, Gerke, Glennen, Lockrem, Mather, Scott, Towe, ex-cused, and Pierce, deceased.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSSEN

REPORTS OF STANDING COMMITTEES

January 11, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 6, 8, 26, 28, 15 beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 11, 1971.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 2.

MARKS, Chairman

January 11, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 12, 24, 28, and House Joint Resolution No. 2.

MARKS, Chairman

January 11, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Donald J. Hanson be hired as Security Guard for the 42nd Legislative Session, effective January 9, 1971.

And further recommend that Mary Ann Mockel, typist, be removed from the payroll effective January 9, 1971.

And further recommend that Sherri M. Sewell, proofreader, be changed to mailing clerk, and Mercedes Hanson, mail clerk, be changed to proofreader, effective January 11, 1971.

And further recommend that Barbara A. Bonini be added to the payroll as steno effective January 11, 1971.

SPIILDE, Chairman

Report adopted.

January 11, 1971

Mr. Speaker: We, your Committee on Rules, having had under consideration the question as to what reference an amendment is to have relative to the original and/or reproduced Bill, respectfully report as follows: The amendment to be submitted is to refer to the appropriate section, page and line of the last reproduced Bill. No reference to the original Bill is required.

HARRISON, Chairman

Report adopted.

January 8, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22 do pass.

FALKENSTERN, Chairman

Report adopted.

I have examined House Bill No. 2, introduced by me, and find the same to be correct.

HARRISON

The Speaker signed the following House Bill in open session, the title having first been read: House Bill No. 2.

MOTIONS AND RESOLUTIONS

A motion was made by Keller that House Bill No. 54 be taken from Public Health, Welfare and Safety, and be re-referred to Committee on Business and Industry. Motion carried.

A motion was made by Watt that House Bill No. 8 be taken from Second Reading and be re-referred to Committee on Judiciary. Motion carried.

A motion was made by Harrison that the Speaker appoint a committee to represent the House of Representatives of the 42nd Legislative Assembly at the funeral of Representative John Pierce this day in Billings, Montana. Motion carried.

The Speaker appointed the following: Dye, as personal representative for the Speaker, Clemow, Cox, Darrow, Glennen, Fagg, Forester, Lockrem, Mather, Scott and Towe.

A motion was made by Harrison that appropriate Memorial Services be held in this Chamber at the time of the funeral for Representative John Pierce, that is, at 3:00 p.m. today. Motion carried.

A motion was made by Harrison that the Speaker appoint a committee of three to invite the Honorable Senate to join with the House in this Memorial Service. Motion carried.

The Speaker appointed the following Committee: Kvaalen, Perry, Knudsen.

Harrison moved that the Speaker appoint a committee of three to escort the Governor to the House Chambers to attend the Memorial Service. Motion carried.

The Speaker appointed the following committee: Wolf, Christiansen and McGrath.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 110, introduced by Swan, Zimmer: A bill for an act entitled: "An act amending Section 59-538, R.C.M., 1947, by authorizing the reimbursement of certain expenses to the Lieutenant Governor and increasing the maximum amount of reimburseable expenses of certain elective officials." Referred to Committee on State Administration.

House Bill No. 111, introduced by Zimmer, Haines: A bill for an act entitled: "An act to provide for the numbering of every motorboat or vessel propelled by machinery; to provide that a certificate showing payment of personal property taxes be required before issuance of decals; and amending Sections 69-3503, 69-3504, and 69-3504.1, R.C.M., 1947." Referred to Committee on Business and Industry.

House Bill No. 112, introduced by Bradley, Parrish, Cox, Fagg, Jackson, Ainsworth: A bill for an act entitled: "An act to define, control and prohibit the littering of public and private property, providing a penalty therefore, and repealing sections 32-1629, 32-1630, and 32-1631, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 113, introduced by Christiansen, Ainsworth: A bill for an act entitled: "An act to amend Sections 66-1501, 66-1502, 66-1504, 66-1506, 66-1507, 66-1508, 66-1509 and 66-1521, R.C.M., 1947, (Montana Pharmacy Law) by substituting the word 'intern' for 'assistant pharmacist'; and to amend Sections 66-1504 and 66-1506, providing for the regulation of interns in accordance with national standards, and to amend Section 66-1506 to increase the registration fee for examination, and to amend Section 66-1507 to increase the renewal of registration fee, to provide a penalty for late renewal, and to reduce the reinstatement period." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 114, introduced by Hall: A bill for an act entitled: "An act providing for the imposition of a gift tax." Referred to Committee on Ways and Means.

House Bill No. 115, introduced by Brand, Cox, Kolstad, Marbut, Lombardi, Baeth, Quilici, Gunderson, Staigmiller: A bill for an act entitled: "An act amending Section 93-4314, R.C.M., 1947, providing that in the case of regularly scheduled wages, garnishment shall not be made unless such garnishment or attachment is performed more than forty-eight (48) hours prior to the time of such regular disbursement." Referred to Committee on Labor and Compensation.

House Bill No. 116, introduced by Brand, Cox, Kolstad, Quilici, Marbut, Lombardi, Baeth, Gunderson, Staigmiller: A bill for an act entitled: "An act to require walkways across railroad trestles and bridges." Referred to Committee on Business and Industry.

House Bill No. 117, introduced by Ulmer, Kvaalen, Whitney, Johnston, Scott, Pierce, Yardley: A bill for an act entitled: "An act to repeal Chapter 344 of 1969 Session Laws and have the permit drawings at the discretion of the State Fish and Game Commission." Referred to Committee on Fish and Game.

House Bill No. 118, introduced by Christiansen, Selstad, Dye, Bardanoue: A bill for an act entitled: "An act authorizing the Highway Commission to grant certain employees of the State Highway Commission the power of arrest in specified instances, providing for rules and regulations, establishing qualifications to fix and accept bail, issue summons, file complaints, and providing for cooperation with other peace officers." Referred to Committee on Judiciary.

House Bill No. 119, introduced by Patrick, Swan, Worden, Watt: A bill for an act entitled: "An act to amend Section 4-108, R.C.M., 1947, providing salaries of state liquor employees." Referred to Committee on State Administration.

House Bill No. 120, introduced by Wolf, Kolstad, Fagg: A bill for an act entitled: "An act to amend Section 53-421, R.C.M., 1947, revising the monetary limits at which an accident must be reported from one hundred dollars (\$100.00) to two hundred and fifty dollars (\$250.00)." Referred to Committee on Highways.

House Bill No. 121, introduced by Wolf, Kolstad, Fagg: A bill for an act entitled: "An act to amend Section 53-422, R.C.M., 1947, revising the damage limit in determining the requirement of security from one hundred dollars (\$100.00) to two hundred and fifty dollars (\$250.00)." Referred to Committee on Highways.

House Bill No. 122, introduced by Wolf, Kolstad, Fagg: A bill for an act entitled: "An act to amend Section 32-1208, R.C.M., 1947, revising the monetary limits at which an accident must be reported from one hundred dollars (\$100.00) to two hundred and fifty dollars (\$250.00)." Referred to Committee on Highways.

House Bill No. 123, introduced by Cox, Campbell, Schoonover, Knudsen, Worden, Gunderson, Glennen: A bill for an act entitled: "An act relating to the teaching profession, recognizing the right of professional educators to join organizations of their choosing, promoting cooperation and discussion between governing boards of public school districts, state institutions, community colleges, the Montana University System and representatives of the profession, and establishing procedures for the participation by members of the profession in the formulation and implementation of policies affecting teaching and providing for the development of teacher evaluation procedures." Referred to Committee on Education.

House Bill No. 124, introduced by Marbut, Worden, Haines, Olson, Norman, Snortland, Gunderson, Forester, Cox, Staigmiller, Keller, Mather, Fasbender, Brand, Ainsworth, Watt, Glennen, Bradley: A bill for an act entitled: "An act to establish the Litter Act of Montana." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 125, introduced by Patrick: A bill for an act entitled: "An act relating to all suppliers of electric service; prohibiting the duplication of such service, modifying the exemption of rural electric co-operatives from regulation by the Montana Railroad and Public Service Commission; and amending Sections 14-502, 14-529, 14-530, 70-105, R.C.M., 1947." Referred to Committee on Business and Industry.

House Joint Resolution No. 5, introduced by Brand, Laas, Robbins, Snortland, Anderson, Warfield, Cox, Zimmer, Marbut, Pierce, Kolstad, Bradley, Aspevig, Ainsworth, Worden, Staigmiller, Norman, Lien, T. L. Murphy, Fleming, Fasbender, Devine, Lundgren, Eggebrecht, Yardley, Gunderson, McKittrick: A joint resolution of the Senate and House of Representatives urging that the basic national rail passenger system include a minimum of one passenger train route daily through the State of Montana in an east-west direction and daily passenger train service to the State of Montana in a north-south direction. Referred to Committee on Business and Industry.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 13 and 27.

MARKS, Chairman

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

A motion was made by Harrison that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Watt in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

The the Committee pass consideration of House Bills Nos. 7, 6, and 15 for this sitting.

That House Bill No. 26 do pass.

That Senate Bill No. 1 be placed after Senate Bill No. 2 for consideration.

That the Committee rise and report and beg leave to sit again.

WATT, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the Rules be suspended and that all sections be considered read in full in regard to Senate Bills Nos. 1 and 2. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

A motion was made by Harrison that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Watt in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 1 be concurred in.

That Senate Bill No. 2 be concurred in.

That the Committee rise and report.

WATT, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the Rules be suspended and place Senate Bills Nos. 1 and 2 on Third Reading this day. Motion carried.

Harrison moved that the Rules be suspended so that the entire titles be considered read on Senate Bills Nos. 1 and 2. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 24 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Devine, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgerald, Fleming, Giesick, Greely, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marks, Mehrens, J. E. Murphy, T. L. Murphy, Nichols, Olson, Parrish, Patrick, Perry, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 83.

Noes: Gunderson, Haines, Lynch, Marbut, Menahan, Norman, Staigmiller. Total 7.

Absent or not voting: Lanthorn. Total 1.

Deceased: Pierce. Total 1.

Excused: Clemow, Cox, Darrow, Dye, Fagg, Forester, Gerke, Glennen, Lockrem, Mather, Scott, Towe. Total 12.

House Bill No. 13 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barda-

nouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Devine, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Giesick, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Keller, Lanthorn, Zimmer. Total 3.

Deceased: Pierce. Total 1.

Excused: Clemow, Cox, Darrow, Dye, Fagg, Forester, Gerke, Glennen, Lockrem, Mather, Scott, Towe. Total 12.

House Bill No. 28 was passed by the following vote:

Ayes: Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Devine, East, Edland, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, J. E. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. M. Smith, Staigmiller, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Mr. Speaker. Total 70.

Noes: Aber, Asbjornson, Aspevig, Brand, Bennett, Eggebrecht, Hemstad, Kolstad, Kvaalen, McNamer, Marks, T. L. Murphy, Olson, E. B. Smith, Snortland, Spilde, Wolf, Zimmer, Zody. Total 19.

Paired: Marks, nay; Gunderson, aye.

Absent or not voting: Giesick, Lanthorn. Total 2.

Deceased: Pierce. Total 1.

Excused: Clemow, Cox, Darrow, Dye, Fagg, Forester, Gerke, Glennen, Lockrem, Mather, Scott, Towe. Total 12.

House Bill No. 27 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Devine, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Giesick, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Gunderson, Staigmiller. Total 2.

Absent or not voting: Lanthorn. Total 1.

Deceased: Pierce. Total 1.

Excused: Clemow, Cox, Darrow, Dye, Fagg, Forester, Gerke, Glennen, Lockrem, Mather, Scott, Towe. Total 12.

House Bill No. 12 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Devine, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Giesick, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Lanthorn. Total 1.

Deceased: Pierce. Total 1.

Excused: Clemow, Cox, Darrow, Dye, Fagg, Forester, Gerke, Glennen, Lockrem, Mather, Scott, Towe. Total 12.

House Joint Resolution No. 2 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Devine, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Giesick, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 83.

Noes: Himsl, Keller, Kvaalen, Lien, Lundgren, J. E. Murphy, Swan. Total 7.

Absent or not voting: Lanthorn. Total 1.

Deceased: Pierce. Total 1.

Excused: Clemow, Cox, Darrow, Dye, Fagg, Forester, Gerke, Glennen, Lockrem, Mather, Scott, Towe. Total 12.

THIRD READING OF SENATE BILLS

The following having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 1 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Devine, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Giesick, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks,

Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody. Total 87.

Noes: Perry, Zimmer. Total 2.

Absent or not voting: Lanthorn, Mr. Speaker. Total 2.

Deceased: Pierce. Total 1.

Excused: Clemow, Cox, Darrow, Dye, Fagg, Forester, Gerke, Glennen, Lockrem, Mather, Scott, Towe. Total 12.

Senate Bill No. 2 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Devine, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fittgarrald, Fleming, Giesick, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 88.

Noes: Perry, Zimmer. Total 2.

Absent or not voting: Lanthorn. Total 1.

Deceased: Pierce. Total 1.

Excused: Clemow, Cox, Darrow, Dye, Fagg, Forester, Gerke, Glennen, Lockrem, Mather, Scott, Towe. Total 12.

Harrison moved that the House recess until 3:00 p.m. this day for Special Orders of the Day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

The committee appointed by the Speaker to notify the Senate to join with the House of Representatives in Memorial Services for Representative John Pierce reported that the message had been delivered and that the Senate was waiting admittance to the House Chambers.

The committee was thanked and discharged.

The Senate members were then admitted to the Chambers. The committee appointed by the Speaker escorted Governor Anderson to the rostrum.

At this time, to coincide with the funeral in Billings of Representative Pierce, Rev. Bergquist, Chaplain of the House, conducted services memorializing Representative Pierce. Rev. Bergquist led members and friends in prayer. Special music was provided by the Starlighters of Helena Senior High School, directed by Mr. O. Raymond Champlin.

The Senate Chaplain offered a final prayer.

Appropriate words of sympathy were expressed by Speaker James Lucas and Governor Anderson.

Benediction was given by Rev. Bergquist and the Memorial Service was concluded.

After the Governor had been escorted from the Chambers and the Senate members departed, the House of Representatives was called to order.

Motion was made by Harrison that the House adjourn until 1:30 p.m., January 12, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 12, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were presented except Gerke, Lockwood and Lockrem, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eighth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

January 12, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 22, beg leave to report that the same has this date been returned from the printer correctly printed.

MARKS, Chairman

January 12, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Charles D. Sullivan, Night Watchman, be removed from the payroll effective January 10, 1971.

And further recommend that Daniel J. McCarthy be added to the payroll as Night Watchman effective January 11, 1971.

And further recommend that Anna Marie Omholt be added to the payroll as typist effective January 12, 1971.

And further recommend that Mary E. Kunnary be added to the payroll as steno effective January 12, 1971.

SPILDE, Chairman

Report Adopted

January 12, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 do pass.

WOLF, Chairman

Report Adopted

January 12, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 42, respectfully report as follows: That House Bill No. 42 do pass.

ULMER, Chairman

Report Adopted

January 12, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 do pass.

HEMSTAD, Chairman

Report Adopted

January 12, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 do pass.

KELLER, Chairman

Report Adopted

January 12, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4 do pass.

SWAN, Chairman

Report Adopted

January 12, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 11, respectfully report as follows: That House Bill No. 11 be amended on page 1, section 1, lines 20 and 21 of the original and introduced bill, after the words "the sum of" by striking the words and figures "fifteen thousand dollars (\$15,000)" and inserting in lieu thereof the words and figures "ten thousand dollars (\$10,000)" and as so amended do pass.

SCOTT, Chairman

Report Adopted

January 8, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 19, respectfully report as follows: That House Bill No. 19 be amended on page 1, section 1, lines 22 and 23 of the original and introduced bill, after the figures and punctuations [(\$9,000.00)] by striking the words and figures "twelve thousand dollars (\$12,000.00)," and inserting in lieu thereof the words and figures "ten thousand two hundred dollars (\$10,200.00)", and as so amended do pass.

SCOTT, Chairman

Report Adopted

(Material in brackets denotes cancelled type.)

January 12, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 50, respectfully report as follows: That House Bill No. 50 do not pass.

SCOTT, Chairman

Report Adopted

January 12, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 do pass.

SCOTT, Chairman

Report Adopted

MESSAGES FROM THE SENATE

January 11, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence: Senate Bill No. 6, introduced by McDonald, Lyon and Moore.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committee:

House Bill No. 126, introduced by Marks, T. L. Murphy: A bill for an act entitled: "An act appropriating to the Montana Water Resources Board of the State of Montana the sum of eight hundred thousand dollars (\$800,000) to be loaned to the Meagher County-Newlan Creek Water District at an interest rate of three percent (3%) per annum and pursuant to such terms and conditions as the board shall prescribe." Referred to Committee on Appropriations.

House Bill No. 127, introduced by Fasbender, Lundgren, Himsl, Watt: A bill for an act entitled: "An act amending Section 84-4903, R.C.M., 1947, to provide for an alternative tax for nonresident taxpayers based on gross sales as required by the multistate tax compact." Referred to Committee on Ways and Means.

House Bill No. 128, introduced by Fasbender, Lundgren, Himsl, Watt: A bill for an act entitled: "An act to amend Section 84-1501, R.C.M., 1947, to provide for an alternative corporation license tax based on gross sales as required by the multistate tax compact and to add a corrective statutory reference." Referred to Committee on Ways and Means.

House Bill No. 129, introduced by Burnett, Aber: A bill for an act entitled: "An act providing that the valuation of shares of stock of national and state banks for purposes of taxation be determined in like manner; repealing Section 84-306, R.C.M., 1947, relating to valuation of shares of stock of national banks, and amending Section 84-307, R.C.M., 1947, relating to valuation of shares of stock of state banks, to accomplish the intent of this act." Referred to Committee on Business and Industry.

House Bill No. 130, introduced by Campbell, Ainsworth, Aber, Laas: A bill for an act entitled: "An act amending Section 69-5201, R.C.M., 1947,

further defining long-term care facility to include intermediate care facilities." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 131, introduced by Schoonover: A bill for an act entitled: "An act amending Section 26-338, R.C.M., 1947, declaring public waters of the State of Montana between ordinary high water open to fishing by any person owning an angler's license of this state." Referred to Committee on Fish and Game.

House Bill No. 132, introduced by Bardanouve, Kvaalen: A bill for an act entitled: "An act amending Sections 81-412, 81-419, 81-426, 81-428, 81-502, 81-606, 81-613, 81-615, 81-915, 81-1113, 81-1702.1 and 81-1703, R.C.M., 1947, to eliminate fees established by statute and to provide general authority for the Commissioner of Lands and Investments to establish those fees with the approval of the Board of Land Commissioners." Referred to Committee on Livestock and Ranges.

House Bill No. 133, introduced by Bardanouve, Kvaalen: A bill for an act entitled: "An act amending Section 81-204, R.C.M., 1947, to eliminate the requirements for issuance of triplicate receipts for payments made to the state through the office of the State Commissioner of Lands and Investments." Referred to Committee on Livestock and Ranges.

House Bill No. 134, introduced by Bardanouve, Kvaalen: A bill for an act entitled: "An act to provide for the cancellation of leases on state lands by the Commissioner of State Lands and Investments subject to appeal to the State Board of Land Commissioners, by amending Sections 81-414, 81-415, 81-419 and 81-422, R.C.M., 1947." Referred to Committee on Livestock and Ranges.

House Bill No. 135, introduced by Kendall, Gunderson, Campbell, Ainsworth: A bill for an act entitled: "An act to amend Section 69-6007, R.C.M., 1947, to provide an alternate method of defraying the cost and maintenance of refuse disposal districts by allowing the assessment of a mill levy not to exceed two (2) mills on each dollar of taxable valuation of each lot or parcel of land and improvements in the district." Referred to Committee on Affairs of Cities.

House Bill No. 136, introduced by Greely, Swanberg, Lanthorn, Menahan, Johnston, Bardanouve: A bill for an act entitled: "An act to amend Section 43-803, R.C.M., 1947, regarding the licensing of lobbyists." Referred to Committee on Business and Industry.

House Bill No. 137, introduced by Ulmer, Dye, Robbins: A bill for an act entitled: "An act relating to fees, licenses and certificates of registrations to be paid by various members of the cosmetology profession, adding thereto a registration fee for each student enrolling in a registered cosmetology school, amending Section 66-815, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 138, introduced by Fasbender, Haines, Prevost, Cox, Christiansen: A bill for an act entitled: "An act requiring the House of Representatives to appoint a House reporter; requiring the House reporter to make a record of all proceedings of the House and deliver a copy thereof to the Chief Clerk of the House; and requiring the Chief Clerk of the House to deliver a copy of the House Reporter's record at the close of each legislative session to the Secretary of State and to any legislator who requests a copy." Referred to Committee on State Administration.

House Bill No. 139, introduced by Harrison: A bill for an act entitled: "An act amending appeal from a justice and a police court proceedings giving discretion to the district judge to provide for more than six (6) jurors." Referred to Committee on Judiciary.

House Bill No. 140, introduced by Christiansen, Swan: A bill for an act entitled: "An act to amend Section 8-127, R.C.M., 1947, to provide that

the temporary tax on gross operating revenue of motor carriers of five hundred seventy-five thousandths (.575) of one percent be made permanent." Referred to Committee on Ways and Means.

House Bill No. 141, introduced by Christiansen, Nichols, Marks: A bill for an act entitled: "An act to amend Section 84-1601, R.C.M., 1947, to provide that the temporary electrical energy producers' license tax of one and four hundred thirty-eight thousandths percent (1.438%) be made permanent." Referred to Committee on Ways and Means.

House Bill No. 142, introduced by Christiansen, Cox, Ulmer, Keller: A bill for an act entitled: "An act to amend Section 84-2004, R.C.M., 1947, to provide that the temporary metalliferous mines license tax be made permanent." Referred to Committee on Ways and Means.

House Bill No. 143, introduced by Nichols, Fasbender: "A bill for an act entitled: "An act to amend Section 84-2102, R.C.M., 1947, to provide that the temporary natural gas distributors' license tax, of five hundred seventy-five thousandths (.575) of one cent for each one thousand (1,000) cubic feet of natural gas, be made permanent." Referred to Committee on Ways and Means.

House Bill No. 144, introduced by Fasbender, Hemstad: A bill for an act entitled: "An act to amend Sections 84-2601 and 84-2602, R.C.M., 1947, to provide that the temporary telephone company license tax, of one and seven hundred twenty-five thousandths percent (1.725%) of gross income in excess of two hundred fifty dollars (\$250), be made permanent." Referred to Committee on Ways and Means.

House Bill No. 145, introduced by Fasbender, Johnston, McKittrick, Swan, Devine, Greely, Staigmillier, Hodges, Swanberg, Wolf, Gunderson, Snortland, Hall: A bill for an act entitled: "An act appropriating moneys from the 'long-range building program account, bond proceeds and insurance clearance fund' to the State Controller for a capital project for the Fish and Game Commission for the biennium ending June 30, 1973." Committee appointment withheld.

House Bill No. 146, introduced by Johnston, Snortland, Fasbender, Laas, Kosena, Bardanouve, Lanthorn, Selstad, Wolf, Hemstad, Schoonover: A bill for an act entitled: "An act appropriating moneys from the 'long-range building program account, bond proceeds and insurance clearance fund' to the State Controller for a capital project for the Fish and Game Commission for the biennium ending June 30, 1973." Committee appointment withheld.

House Bill No. 147, introduced by Watt, Haines, Worden, Burnett, Patrick, Christiansen, Kosena, Fasbender, Healy, Aspevig, Marbut, Campbell, Norman: A bill for an act entitled: "An act providing for the replacement of property taxes on habitable property and certain personal property with a tax on total disposable income; defining habitable property; and providing for its separate listing." Referred to Committee on Ways and Means.

House Bill No. 148, introduced by McGrath, Nichols, Zimmer, Worden: A bill for an act entitled: "An act granting authority to the Montana Liquor Control Board to inspect the books and premises of persons engaged in the manufacture of liquor within the State of Montana." Referred to Committee on Business and Industry.

House Bill No. 149, introduced by Robbins, Fagg, Aber, Burnett, Parrish, Swanberg, Gunderson: A bill for an act entitled: "An act to provide an emergency and disaster fund for the Governor to be implemented by the Department of Administration, authorizing the Governor to expend not to exceed seven hundred fifty thousand dollars from the General Fund, and an immediate effective date." Referred to Committee on State Administration.

House Bill No. 150, introduced by the Judiciary Committee: A bill for an act entitled: "An act to validate records of court proceedings prior to January 1, 1971, containing defects, omissions, informalities or irregularities in obtaining a judgment or decree affecting real property, in which time for appeal has expired; providing that duly certified copies of such judgment or decree may be read in evidence with the same effect as judgments or decrees duly and regularly obtained, recorded and entered." Referred to Committee on Judiciary.

House Bill No. 151, introduced by the Judiciary Committee: A bill for an act entitled: "An act validating deeds and conveyances made prior to January 1, 1971, which are defective in execution or acknowledgment, providing that such instruments shall be conclusive evidence of title against the grantors." Referred to Committee on Judiciary.

House Bill No. 152, introduced by the Judiciary Committee: A bill for an act entitled: "An act to validate and confirm sales or dispositions heretofore made or attempted to be made by any county of any property in which such county had or claimed any right, title or interest, and all instruments of transfer or conveyance heretofore made or executed by any county, and to declare that all such sales, dispositions and instruments have vested in the grantee or purchaser, as of the date thereof, all right, title and interest of the county in and to the property described or covered." Referred to Committee on Judiciary.

House Bill No. 153, introduced by the Judiciary Committee: A bill for an act entitled: "An act relating to validation of judicial sales prior to January 1, 1971, or real property and curing defects or irregularities in the issuance of execution, manner of making or conducting the sale, or in the recitals or references in sheriffs' deeds." Referred to Committee on Judiciary.

House Bill No. 154, introduced by the Judiciary Committee: A bill for an act entitled: "An act validating deeds and conveyances in sales of land and personal property made by trustees, executors, administrators and guardians prior to January 1, 1971, curing defects and irregularities in such sales." Referred to Committee on Judiciary.

House Bill No. 155, introduced by the Judiciary Committee: A bill for an act entitled: "An act validating certain instruments affecting real property and which were erroneously executed or acknowledged prior to January 1, 1971; imparting notice by recording thereof; and providing that duly certified copies thereof may be read in evidence with like effect as copies of an instrument duly acknowledged and recorded." Referred to Committee on Judiciary.

House Resolution No. 1, introduced by Anderson, Edland, McKittrick, Greely, Kolstad, Staigmiller, Ainsworth, Campbell: A Resolution of the House of the State of Montana of the 42nd Legislative Assembly this date go on official record as wholeheartedly supporting the Big Sky Project which is headed by Chet Huntley. Referred to Committee on Business and Industry.

House Joint Resolution No. 6, introduced by Baeth, Sheldon: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Montana Fish and Game Commission, to the Honorable Forrest H. Anderson, Governor, to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, to the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, to the United States Corps of Army Engineers and to the United States Forest Service urging the immediate construction and operation of a fish hatchery at Murry Springs in Lincoln County, Montana. Referred to Committee on Fish and Game.

House Joint Resolution No. 7, introduced by Haines, Worden, Zimmer,

Watt Lucas: A Joint Resolution of the Senate and House of Representatives to place a bust of former Governor Joseph M. Dixon in the rotunda of the Capitol. Referred to Committee on State Administration.

Senate Bill No. 8, introduced by McKeon, Bennett, Reardon: A bill for an act entitled: "An act amending Section 80-1701, R.C.M., 1947, relating to the location and function of the Galen State Hospital by adding to those functions the care and treatment of those persons who might benefit from long term intensive physical rehabilitative measures." Referred to the Committee on Public Health, Welfare and Safety.

Senate Bill No. 6, introduced by McDonald, Lyon and Moore: A bill for an act entitled: "An act to authorize and direct the Attorney General of Montana on behalf of the Legislative Assembly and the Secretary of State of Montana to institute a declaratory judgment proceeding under the Montana Uniform Declaratory Judgment Act (Title 93, Chapter 89, R.C.M., 1947) in the Montana Supreme Court under Rule 17 of the Montana Rules of Appellate Civil Procedure (Section 93-3001, R.C.M., 1947) to determine certain constitutional questions affecting the Constitutional Convention and the eligibility of persons to be delegates to such Constitutional Convention." Referred to Committee on Constitutional Convention.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Harrison that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading of Bills. Motion carried.

Forester in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 7 be moved to the bottom of the board.

That House Bill No. 6 do pass.

That House Bill No. 15 be amended in the title of Approved House Committee Bill No. 15, page 1, line 7, following the word "Date" by inserting the words "and providing for termination date".

Further amend Section 5, page 2, line 24, following the word "approval" by inserting the words "and shall remain in effect until June 30, 1973".

And as so amended, pass consideration for the day.

That consideration of House Bill No. 7 be passed for the day.

That the Committee rise and report.

FORESTER, Chairman

Report Adopted

MOTIONS AND RESOLUTIONS

A motion was made by Mather that House Bill No. 15 be taken from Second Reading and re-referred to Committee on Affairs of Cities.

Hall made a substitute motion that House Bill No. 15 be taken from Second Reading and be re-referred to Committee on Judiciary. Motion carried.

Swan, having voted on the prevailing side, moved that House Bill No. 28 be recalled from the Senate and that a roll call vote be called for with the Ayes and Nays spread on the Journal.

The motion failed by the following vote:

Ayes: Aber, Brand, Burnett, Fagg, Kvaalen, Lundgren, E. Smith, Swan, Zody. Total 9.

Noes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgerald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Mr. Speaker. Total 88.

Absent or not voting: East, Giesick, Lockrem, Marks. Total 4.

Excused: Gerke, Lockwood. Total 2.

Motion was made by Harrison that the House adjourn until 1:30 p.m., January 13, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

TENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 13, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Burnett, Gerke, Haines, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Ninth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSSEN

REPORTS OF STANDING COMMITTEES

January 13, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 42, 96, 17, 4, 55, 11, and 19, beg leave to report that the same have this day been returned from the printer correctly printed.

MARKS, Chairman
January 13, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 6.

MARKS, Chairman

January 12, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 26.

MARKS, Chairman

January 13, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 25, beg leave to report that the same has this date been returned from the printer correctly printed.

MARKS, Chairman

January 13, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Louise B. Sullivan be added to the payroll as Committee Secretary, effective January 13, 1971.

And further recommend that Harriet Celar, Asst. Engrossing, be changed to Asst. Bills Co-ordinator; and Dolores Nan Parriman be changed from Proofreader to Asst. Engrossing, effective January 13, 1971.

And further recommend that Sharon Payne, Steno, be removed from the payroll effective January 14, 1971.

And further recommend that Della Ettinger, Mailing Clerk, be removed from the payroll effective January 13, 1971, and Peggy Waugh, Proofreader, be changed to Mailing Clerk effective January 14, 1971.

SPILDE, Chairman

Report adopted.

January 13, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 58, respectfully report as follows: That House Bill No. 58 do pass.

EAST, Chairman

Report adopted.

January 13, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 86, respectfully report as follows: That House Bill No. 86 do pass.

EAST, Chairman

Report adopted.

January 13, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 20, respectfully report as follows: That House Bill No. 20 do not pass.

SCOTT, Chairman

Report adopted.

January 13, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 do pass.

SCOTT, Chairman

Report adopted.

January 13, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 37, respectfully report as follows: That House Bill No. 37 do not pass.

SCOTT, Chairman

Report adopted.

January 13, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38 do pass.

SCOTT, Chairman

Report adopted.

January 13, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 77, respectfully report as follows: That House Bill No. 77 do pass.

SCOTT, Chairman

Report adopted.

January 13, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 do pass.

SCOTT, Chairman

Report adopted.

January 13, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 21, respectfully report as follows: That House Bill No. 21 do pass.

WORDEN, Chairman

Report adopted.

January 13, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 do pass.

WORDEN, Chairman

Report adopted.

January 12, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 65, respectfully report as follows: That House Bill No. 65 do pass.

KELLER, Chairman

Report adopted.

January 12, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 68, respectfully report as follows: That House Bill No. 68 do pass.

KELLER, Chairman

Report adopted.

January 12, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 do pass.

KELLER, Chairman

Report adopted.

January 12, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 1, respectfully report as follows: That House Joint Resolution No. 1 do pass.

Report adopted.

KELLER, Chairman

January 12, 1971

Mr. Speaker: We, your Committee on Constitutional Convention, having had under consideration Senate Bill No. 6, respectfully report as follows: That Senate Bill No. 6 be concurred in.

Report adopted.

MURPHY, Chairman

January 13, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 73, respectfully report as follows: That House Bill No. 73 do pass.

COX, Chairman

Cox moved for adoption of the Committee report.

Mather made a substitute motion that House Bill No. 73 be re-referred to Committee on Affairs of Cities. Mather requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion carried by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Bardanouve, Knudsen, T. L. Murphy. Total 3.

Excused: Burnett, Gerke, Haines. Total 3.

January 13, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 75, respectfully report as follows: That House Bill No. 75 do pass.

COX, Chairman

Cox moved for adoption of the Committee report.

As a substitute motion, Mather moved that House Bill No. 75 be re-referred to Committee on Affairs of Cities. Motion carried.

January 13, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 be amended as follows:

and be further amended on page 1, line 20, following the word "the" by deleting the word "assessed".

And, as amended. do pass.

COX, Chairman

Cox moved for adoption of the Committee report.

As a substitute motion, Mather moved that House Bill No. 56 be referred to Committee on Affairs of Cities. Motion carried.

January 13, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 14, respectfully report as follows: That House Bill No. 14 be amended as follows:

Amend page 1, being line 18 of the introduced bill, following the word "city" by striking the word "may" and by reinserting the word "must".

Further amend page 1, section 1, lines 19 and 20, by deleting the words "[elect a mayor and two aldermen from each ward, to be voted for by the wards they respectively represent]" and by inserting in lieu thereof the words "elect the officers of the city as defined in Section 11-701 whose terms of office will expire, with aldermen to be voted for by the wards they respectively represent."

(Material in brackets denotes cancelled type.)

Further amend Section 1, page 2, line 13, following the word and punctuation "term." by inserting the following sentence: "The city council shall by resolution determine which office of alderman in each ward shall be for a term of two (2) years and which for four (4) years at the election to be held on the first Monday of April, 1971."

And as amended, do. pass.

COX, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

January 11, 1971

Honorable James P. Lucas
Speaker for the House
42nd Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 1.

Sincerely,

FORREST H. ANDERSON
Governor

January 12, 1971

Honorable James P. Lucas
Speaker for the House
42nd Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 2.

Sincerely,

FORREST H. ANDERSON
Governor

MOTIONS AND RESOLUTIONS

A motion was made by East that House Bill No. 115 be taken from Committee on Labor and Compensation and be referred to Committee on Judiciary. Motion carried.

A motion was made by Harrison that the House suspend Rules and consider Senate Bill No. 6 to be on desks over one legislative day and that Senate Bill No. 6 be considered on Second Reading this day. Motion carried unanimously.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 156, introduced by McGrath, Himsl, Quilici, Yardley, Menahan, Lombardi, Harper, Lee, Healy, Wolf, Keller, Falkenstern, Whitney, Kosena, Mehrens, Lynch. A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to each resident of Montana in military service during the Vietnam war between July 4, 1965 and a date to be announced by the United States government proclaiming the cessation of hostilities in the Vietnam area; to authorize the State of Montana to become indebted in the sum of nine million nine hundred and fifty thousand dollars (\$9,950,000) in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the payment of such honorarium and adjusted compensation and the administration of the law; to provide for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof; to provide for the levy of an annual tax upon all taxable property in the State of Montana sufficient, with other funds on hand and appropriated for the purpose, to pay the bonds and the interest accruing thereon; to levy and provide for the collection of an excise tax upon cigarettes sold or possessed in the State of Montana in addition to and in the same manner as the cigarette taxes now imposed by Section 84-5606, R.C.M., 1947; to create and provide for the administration of a Vietnam Veterans' Compensation Fund and Bond Fund for the payment of such honorarium or adjusted compensation, the bonds and interest thereon, and the expenses of administration of the law; to pledge the continuation of the levy and collection of the cigarette tax and the appropriation thereof and of the proceeds of the bonds to these funds; to make the bonds a legal investment for funds of the State of Montana; to provide penalties for violation of provisions of the law; to amend Section 84-5606, R.C.M., 1947, and Section 84-5606.30 thereof, enacted as Section 29, Chapter 140, Laws of 1969; to make other provisions germane to the main purpose of the law; to provide for a referendum of this law, and to provide an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 157, introduced by Bardanouve, Greely, Staigmler, Devine, Swanberg, Hodges, Brand, Gunderson, Schoonover, Fasbender, Aspevig, Hall. A bill for an act entitled: "An act designating the Smith River as a state recreational waterway." Referred to Committee on Environment and Resources.

House Bill No. 158, introduced by Hall, Glennen, Greely, Fitzgarrauld. A bill for an act entitled: "An act to increase the tax per thirty-one gallon barrel of beer from three dollars (\$3) to six dollars (\$6); distributing

fifty percent of the revenue from the beer tax to incorporated cities and towns to be expended for state purposes such as law enforcement, maintenance of the transportation system, and public health; amending Sections 4-317, 4-324 and 4-347, R.C.M., 1947, and Section 4, Chapter 296, Laws of 1969." Referred to Committee on Ways and Means.

House Bill No. 159, introduced by Lynch, Menahan, Knudsen, Harper, Lee, Quilici, Brand, Lombardi, Mehrens, Perry, Cox, Fagg. A bill for an act entitled: "An act to repeal Sections 71-241, 71-242, 71-243, 71-244, 71-245, 71-246, 71-247, 71-248, 71-249 and 71-250, R.C.M., 1947, relating to the lien of the State Board of Public Welfare upon all real property of an applicant for public welfare assistance and the enforcement thereof." Referred to Committee on State Administration.

House Bill No. 160, introduced by Knudsen, Kosena, Edland. A bill for an act entitled: "An act to require the enrichment of flour and bread to meet certain standards of vitamin and mineral content; and to fix penalties for violation of this act." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 161, introduced by Dye, Christiansen, Zimmer, Haines, Asbjornson. A bill for an act entitled: "An act to authorize the Highway Patrol Board to issue identification cards to persons over eighteen (18) years of age." Referred to Committee on Highways.

House Bill No. 162, introduced by Asbjornson, Olson, Kosena. A bill for an act entitled: "An act to amend Sections 66-3101, 66-3102, 66-3103, 66-3104, 66-3105, 66-3109, 66-3110, and 66-3112, R.C.M., 1947, providing for nursing homes and administrators, providing an effective date and repealing Section 66-3113, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 163, introduced by Schoonover, Knudsen, Glennen, Brown. A bill for an act entitled: "An act to amend Section 75-6110, R.C.M., 1947, providing for an increase in the fine for abuse of teachers by parents and others." Referred to Committee on Education.

House Bill No. 164, introduced by Fagg, Cox, Darrow, Knudsen, Fasbender, Marbut, E. Smith, Kendall, Glennen. A bill for an act entitled: "An act to provide for the annexation of areas to municipalities under principles of sound urban development, setting forth procedures for annexation and the effect of annexation upon the areas annexed; and providing an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 165, introduced by Marbut, Fasbender, Haines, Menahan, Christiansen, Yardley, Fleming, Harper, Cox, Towe, McKittrick, Staigmiller, Campbell, Lee, Quilici, T. L. Murphy, Lynch, Clemow, Zody, Glennen, Worden, Devine, Lombardi, Healy. A bill for an act entitled: "An act granting public employers and public employees the right to bargain collectively, providing that the Department of Labor and Industry may designate labor organizations to be exclusive representatives of employees in certain units; and may also call elections by employees for the same purpose; providing the Department of Labor and Industry shall establish remedies for unfair labor practices; and providing procedures for carrying out the act." Referred to Committee on Labor and Compensation.

House Bill No. 166, introduced by Knudsen, Kosena, Fagg, Prevost, Harper, Weeding, E. Smith, Aber. A bill for an act entitled: "An act to amend Section 75-6107, R.C.M., 1947, providing for timely hearing upon appeal." Referred to Committee on Judiciary.

House Bill No. 167, introduced by Burnett, Knudsen, Aber, Perry. A bill for an act entitled: "An act to amend Section 26-1201 (1), R.C.M., 1947, removing buffalo from the requirements of game farm permit." Referred to Committee on Fish and Game.

House Bill No. 168, introduced by J. Murphy, Lucas, Forester, Bardanoue, Christiansen, Fasbender, Ainsworth, Baeth, Shelden, Kendall, Greely, Lee, Keller, Parrish, Schoonover, Yardley, Watt, Lien, Devine, Marbut, Harrison, Mather, Dye, Brown, C. Smith, Lombardi, Ulmer. A bill for an act entitled: "An act to provide for a constitutional convention; making appropriations in connection therewith; and amending Section 23-3301, R.C.M., 1947, by deleting provision that candidates for delegates to any constitutional convention who will be chosen at the ensuing general election shall be nominated at partisan primaries held on the first Tuesday in June preceding any general election." Referred to Committee on Constitutional Convention.

House Bill No. 169, introduced by Scott. A bill for an act entitled: "An act amending Section 14, Chapter 287, Laws of 1967, compiled as Section 32-4714, R.C.M., 1947, relating to zoning of certain lands adjacent to the interstate and primary system highways, by extending the applicability of Chapter 287 for an additional period of two (2) years from January 1, 1972, until January 1, 1974." Referred to Committee on Highways.

House Bill No. 170, introduced by Giesick, Fagg, Lee, Kolstad, Burnett, E. Smith, Aspevig, Edland, Snortland, Robbins, Spilde, Fleming, Laas, Johnston, Hemstad, McGrath, Gunderson, Hodges, Quilici, Kendall, Nichols, Marks, Selstad. A bill for an act entitled: "An act to establish a mandatory minimum sentence for a second conviction for sale of dangerous drugs." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 171, introduced by Brand, Perry, Snortland, Knudsen, Weeding. A bill for an act entitled: "An act to amend Section 75-7011, R.C.M., 1947, providing for liability insurance for school buses." Referred to Committee on Education.

House Bill No. 172, introduced by Cox, Schoonover, Campbell, Knudsen, Lund, Warfield, Christiansen, Fasbender. A bill for an act entitled: "An act to amend Section 75-6208, Revised Codes of Montana, 1947, relating to an increase in benefits of teachers retired before July 1, 1969." Referred to Committee on Education.

House Joint Resolution No. 8, introduced by Kendall, Fitzgarrald, Knudsen, Eggebrecht, Campbell, Glennen. A Joint Resolution of the Senate and House of Representatives requesting that the Legislative Council in consultation with the Montana League of Cities and Towns conduct a study of the laws relating to elections for cities and towns and to report its findings and recommendations together with any necessary legislation to the 43rd Legislative Assembly. Referred to Committee on Constitution, Elections and Federal Relations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion made by Harrison that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading of Bills. Motion carried.

Giesick in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 4 do pass.

That House Bill No. 7 do pass.

That House Bill No. 11 do pass.

That House Bill No. 17 be amended in Section 1, page 1, of the Approved House Bill No. 17, line 19, following the words "fifty dollars" by striking the punctuation and figures "(\$20.00)"; further amend Section 1, page 1, line 30, following the word "dollars" by striking the punctuation and figures "(\$25.00)".

And as so amended, do pass.

That House Bill No. 19 do pass.

That House Bill No. 22 do pass.

That House Bill No. 55 do pass.

That House Bill No. 96 do pass.

That Senate Bill No. 6 be concurred in.

That the Committee rise and report.

GIESICK, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

January 13, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 117 respectfully report as follows: That House Bill No. 117 do not pass.

WHITNEY, Chairman

Whitney moved for adoption of the Committee report.

As a substitute motion, Ulmer moved that House Bill No. 117 be printed and placed on Second Reading. Roll call vote was requested with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion was passed by the following vote:

Ayes: Aber, Ainsworth, Baeth, Bennett, Bradley, Brown, Christiansen, Darrow, Devine, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Hemstad, Himsl, Johnston, Kendall, Kolstad, Kvaalen, Laas, Lockrem, Lockwood, McGrath, McKittrick, McNamer, Marks, Mather, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Prevost, Robbins, Schoonover, Scott, Selstad, Shelden, E. B. Smith, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Whitney, Worden, Yardley, Zimmer, Zody. Total 58.

Noes: Anderson, Bardanouve, Brand, Clemow, Cox, Dye, Edland, Eggebrecht, Gunderson, Hall, Harper, Harrison, Healy, Hodges, Jackson, Keller, Knudsen, Lanthorn, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Marbut, Mehrens, Perry, Quilici, C. M. Smith, Snortland, Staigmiller, Swan, Watt, Weeding, Wolf, Mr. Speaker. Total 36.

Absent or not voting: Asbjornson, Aspevig, Campbell, Kosena, Patrick, Spilde. Total 6.

Excused: Burnett, Gerke, Haines. Total 3. ,

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend Rules and that Senate Bill No. 6 be considered correctly engrossed and placed on Third Reading this day. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 6 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrauld, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Iien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Perry, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker: Total 95.

Noes: Zimmer. Total 1.

Absent or not voting: Asbjornson, Aspevig, Patrick, Spilde. Total 4.

Excused: Burnett, Gerke, Haines. Total 3.

UNFINISHED BUSINESS

Nominations were open for Speaker Pro Tem due to the death of Speaker Pro Tem Pierce.

Murphy nominated Rep. Lundgren, District 30. Christiansen moved that nominations cease and that an unanimous ballot be cast for Rep. Lundgren. Motion carried.

Mather announced that Keith Nelstead had been selected to fill the unexpired term of Representative Pierce. The Speaker announced that Nelstead will serve on Business and Industry Committee and Highway Committee.

Other committee changes announced by the Speaker are:

Murphy off State Administration.

Fitzgarrauld on State Administration, and off Agriculture and Irrigation.

Burnett on Agriculture and Irrigation.

Marbut on Labor and Compensation.

Harrison moved that the House adjourn until 1:30 p.m., January 14, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

ELEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 14, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Burnett, Gerke, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Tenth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

January 14, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 77, 35, 14, 71, 78, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 14, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 38, beg leave to report that the same has been returned from the printer correctly printed.

MARKS, Chairman

January 13, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 69, 86, HJR 1, House Bills Nos. 65, 58, 68, 21, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 14, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 117, beg leave to report that the same has this date been returned from the printer correctly printed.

MARKS, Chairman

January 14, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 163, respectfully report as follows: That House Bill No. 163 be amended as follows:

Be amended on page 1, section 1, line 20, of the original and before the word "nor" by striking the following material "[one hundred dollars (\$100)]" and inserting in lieu thereof the following material "twenty-five (\$25.00) Dollars."

And, as so amended, do pass.

WARFIELD, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 14, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 88, respectfully report as follows: That House Bill No. 88 do not pass.

WOLF Chairman

Report adopted.

January 14, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 do not pass.

WOLF, Chairman

Report adopted.

January 14, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92 do not pass.

WOLF, Chairman

Report adopted.

January 14, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93 do pass.

WOLF, Chairman

Report adopted.

January 14, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 94, (Motion was made by Wolf that the Rules be suspended and the section numbers be considered read at length. Motion carried.) respectfully report as follows: That House Bill No. 94 do not pass.

WOLF, Chairman

Report adopted.

January 14, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 150, respectfully report as follows: That House Bill No. 150 do pass.

SCOTT, Chairman

Report adopted.

January 14, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 151, respectfully report as follows: That House Bill No. 151 do pass.

SCOTT, Chairman

Report adopted.

January 14, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 do pass.

SCOTT, Chairman

Report adopted.

January 14, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 153, respectfully report as follows: That House Bill No. 153 do pass.

Report adopted.

SCOTT, Chairman

January 14, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 154, respectfully report as follows: That House Bill No. 154 do pass.

Report adopted.

SCOTT, Chairman

January 14, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 do pass.

Report adopted.

SCOTT, Chairman

January 14, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 do not pass.

Report adopted.

FALKENSTERN, Chairman

January 14, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 36, respectfully report as follows: That House Bill No. 36 do not pass.

Report adopted.

SWAN, Chairman

January 14, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do pass.

Report adopted.

ULMER, Chairman

January 14, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 be amended on page 3, following line 21 of the original and introduced bill by adding the following new section: "Section 2. This act is effective on or after January 1, 1971."

and, as so amended, do pass.

Report adopted.

ULMER, Chairman

January 14, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 30, respectfully report as follows: That House Bill No. 30 be amended.

Motion was made by Ulmer that the Rules be suspended and amendments be considered read at length. Motion carried.

Be amended on page 1, section 1, lines 22 and 23 of the original and introduced bill, after the word "territory" by deleting the following material "[, or county or municipality political subdivision thereof,]" and inserting in lieu thereof the following material ", or county, municipality, district, or other political subdivision thereof:", and

be further amended on page 1, section 1, line 30 and page 2, section 1, line 1, after the word "government" by deleting the following material "[, the state of Montana, or any political subdivision of the State of Montana.]" and inserting in lieu thereof the following material ", the State of Montana, county, municipality, district, or other political subdivision thereof:", and

be further amended on page 3, section 3, lines 5 and 6 of the original and introduced bill, after the figure and punctuation "3." by deleting the material therein in its entirety and inserting in lieu thereof the following new material "This act is effective on or after January 1, 1971."

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 14, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 39, respectfully report as follows: That House Bill No. 39 do pass.

ULMER, Chairman

Report adopted.

January 14, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 67, respectfully report as follows: That House Bill No. 67 be amended as follows:

Be amended on page 1, section 1, lines 20 and 21, after the word "filed" by deleting the words "[or who was born within one (1) year of such application (or who was born within such year.)]" and by inserting in lieu thereof a period.

And, as so amended, do pass.

KELLER, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 14, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 18, respectfully report as follows: That House Bill No. 18 be amended as follows:

Be amended on page 2, Section 1, line 27, of the original and duplicated bill, after the word "inspect" insert the words "licensed and registered."

And be further amended on page 2, Section 1, line 28, of the original and duplicated bill, strike the word "[monthly]" and insert in lieu thereof the following material ", not less frequently than once each three months,"

And, as so amended, do pass.

KELLER, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 14, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 63, respectfully report as follows: That House Bill No. 63 be amended as follows:

Be amended on page 2, Section 1, line 11, after the word "for" and before the word "for" by inserting a comma

And be further amended on page 2, Section 1, line 12, after the word "programs" by inserting a comma

And, as so amended, do pass.

KELLER, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 14, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 do pass.

KELLER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House impose a limitation of five minutes for each speaker for all debate henceforth, except that the person introducing will be permitted 5 minutes to open and 5 minutes to close.

Christiansen made a substitute motion that the House impose the 5 minute rule except that the person introducing will be permitted 5 minutes to open and 5 minutes to close for deliberations on Second Reading only. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committee:

House Bill No. 173, introduced by Wolf. A bill for an act entitled: "An act to amend Section 53-431, R.C.M., 1947, providing an expiration date for judgments." Referred to Committee on Judiciary.

House Bill No. 174, introduced by Swan by request, Robbins. A bill for an act entitled: "An act to amend Section 32-3601, R.C.M., 1947, relating to county tax levies for construction, maintenance, or improvement of public highways." Referred to Committee on Townships and Counties.

House Bill No. 175, introduced by Campbell, Kvaalen, Worden, Brand, Watt. A bill for an act entitled: "An act to amend Section 75-6111, R.C.M., 1947, providing alternatives for teachers during the State Teachers' Association convention." Referred to Committee on Education.

House Bill No. 176, introduced by Hall, J. Murphy, Swanberg, Towe, Parrish. A bill for an act entitled: "An act to amend Section 93-1906, R.C.M., 1947, to provide a minimum and a maximum limit on salaries for court reporters and giving the appointing district judge the authority to set the salary within the limits provided." Referred to Committee on Judiciary.

House Bill No. 177, introduced by Campbell, Clemow, Brand, Fleming, Brown. A bill for an act entitled: "An act to amend Sections 23-3023 and

23-3027, R.C.M., 1947, providing for precinct registers." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 178, introduced by Schoonover, Cox, Christiansen, Warfield. A bill for an act entitled: "An act to amend Sections 75-6207, 75-6208, 75-6213, Revised Codes of Montana, 1947, relating to the employer contribution to the pension accumulation fund, to interest due on redeposit of contributions, to the retirement benefits and disability benefits paid by the Teachers' Retirement System and further relating to the payment of interest when purchasing out-of-state service." Referred to Committee on Education.

House Bill No. 179, introduced by J. Murphy. A bill for an act entitled: "An act amending Section 91-4415, R.C.M., 1947, to provide that inheritance taxes be collected by only the State Board of Equalization and county treasurer, and that the county treasurer receipt for inheritance taxes collected in quintuplet." Referred to Committee on Judiciary.

House Bill No. 180, introduced by J. Murphy. A bill for an act entitled: "An act amending Section 91-4437, R.C.M., 1947, by rescinding the requirement that the order determining inheritance tax be mailed to the State Treasurer." Referred to Committee on Judiciary.

House Bill No. 181, introduced by J. Murphy. A bill for an act entitled: "An act amending Section 91-4450, R.C.M., 1947, to provide for monthly rather than quarterly reports of inheritance taxes collected by county treasurers, and to provide for monthly reports of inheritance tax collections by the State Treasurer." Referred to Committee on Judiciary.

House Bill No. 182, introduced by Darrow, E. Smith, Fagg, Fasbender, Ainsworth, Worden, Marbut, Dye, Johnston, Keller, Perry, Schoonover, Norman, Brown, Yardley, J. Murphy. A bill for an act entitled: "An act to establish a State Recreational Waterways System; designating certain rivers and streams, and segments of rivers and streams as segments of State Recreational Waterways System; providing for administration of system by Fish and Game Commission; and restricting use of waters and of lands submerged or submersible by waterways system." Referred to Committee on Environment and Resources.

House Bill No. 183, introduced by Johnston, Wolf. A bill for an act entitled: "An act amending Section 31-130, R.C.M., 1947, to require documentary proof of name and date of birth on all original applications for license, instruction permit or motorcycle endorsement; and providing an effective date." Referred to Committee on Highways.

House Bill No. 184, introduced by J. Murphy. A bill for an act entitled: "An act amending Section 91-4411, R.C.M., 1947, to clarify the application of the estate tax upon transfers of estates of decedents; to include non-resident estates under the act; to provide an apportionment formula when estate is partly within and partly without the state; and to provide a tax situs for property for estate tax purposes." Referred to Committee on Judiciary.

House Bill No. 185, introduced by Bennett, Spilde, Robbins, Laas, Lucas, Christiansen. A bill for an act entitled: "An act to amend Section 92-206, R.C.M., 1947, to permit private contractors engaged in the performance of contract work for public corporations to provide workmen's compensation insurance under Plans No. 2 or 3, as provided in the Workmen's Compensation Act." Referred to Committee on Labor and Compensation.

House Bill No. 186, introduced by Selstad, Kosena, Lund. A bill for an act entitled: "An act to provide the form for the schedule of expense claims; and repealing Section 59-540, R.C.M., 1947." Referred to Committee on State Administration.

House Bill No. 187, introduced by Lund, Selstad, Kosena. A bill for

an act entitled: "An act for computation of per diem allowance; and repealing Section 59-539, R.C.M., 1947." Referred to Committee on State Administration.

House Bill No. 188, introduced by Greely, Devine, McKittrick. A bill for an act entitled: "An act accepting the cession of concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Montana." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 189, introduced by Sverdsten, Swan. A bill for an act entitled: "An act requiring a licensed truck or trailer dealer to secure a demonstration permit for purposes of demonstration only, affixing the fees and terms of said permits, affixing a penalty and repealing Sections 53-118.1, 53-118.2, 53-118.3, 53-118.4 and 53-118.5, R.C.M., 1947, enacted as Section 2, Chapter 36, Laws of 1965." Referred to Committee on Highways.

House Bill No. 190, introduced by Haines, Worden, Olson, Fagg, Campbell, Norman, Gunderson, Glennen. A bill for an act entitled. "An act to prescribe the period of limitations in which actions for professional negligence can be commenced." Referred to Committee on Judiciary.

House Bill No. 191, introduced by Lockwood, Worden, Laas. A bill for an act entitled: "An act to amend Section 1, Chapter 4, Laws of 1969, compiled as Section 82-4101, R.C.M., 1947, relating to withdrawal of retained payments by public contractors and adding bank certificates of deposit to the obligations that may be deposited in relation thereto." Referred to Committee on Business and Industry.

House Bill No. 192, introduced by Sverdsten, Himsl. A bill for an act entitled: "An act to amend Section 32-3304.1, R.C.M., 1947, defining concrete mixer trucks, mixer trailers, semitrailer and truck-tractors and establishing fees." Referred to Committee on Highways.

House Bill No. 193, introduced by Sverdsten, Clemow. A bill for an act entitled: "An act providing a penalty for violation of the provisions of Sections 32-2707, 53-638.1, 53-640, 53-641 and 53-642, R.C.M., 1947." Referred to Committee on Judiciary.

House Bill No. 194, introduced by Kosena, Lund, Selstad. A bill for an act entitled: "An act to require certification of expense claims by the employee and his supervisor." Referred to Committee on State Administration.

House Bill No. 195, introduced by Lockrem, Dye, Laas. A bill for an act entitled: "An act amending Sections 32-3707 and 53-118, R.C.M., 1947, to authorize the use of dealer's license plates by special mobile equipment dealers." Referred to Committee on Highways.

House Bill No. 196, introduced by Keller, Snortland, Brown. A bill for an act entitled: "An act to require each Montana licensed optometrist to attend continuing educational programs for not less than twelve (12) hours annually." Referred to Committee on Public Health, Welfare and Safety.

House Resolution No. 2, introduced by Brand, Laas, Kolstad, Lombardi, Harper, Snortland, Robbins, Bradley, Lee, Aspevig, Zimmer, Devine, Greely, McKittrick, Staigmiller, Gunderson, Hodges, Schoonover, Swanberg, Lien, T. L. Murphy, Kendall, Fleming, Zody, Weeding, Eggebrecht, Prevost, Quilici, Healy, Mehrens, Kosena, Menahan, East, Ainsworth, Worden, Campbell, Lund, Warfield, Wolf, Lundgren, Johnston, Yardley. A Resolution of the House of Representatives of the State of Montana urging that existing passenger train service through the State of Montana in an east-west direction and daily passenger train service to the State of Montana in a north-south direction be included in the Basic National Rail Passenger System. Referred to Committee on Business and Industry.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Harrison that the House resolve itself into a Committee of the Whole, for consideration of business under Second Reading of Bills. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 25 be moved to the bottom of the list.

That House Bill No. 42 do pass.

That House Bill No. 86 do pass.

That House Bill No. 21 do pass.

That House Bill No. 69 do pass.

That House Bill No. 68 do pass.

That House Bill No. 65 do pass.

That House Bill No. 77 do pass.

That House Bill No. 58 do pass.

That House Bill No. 71 do pass.

That House Bill No. 35 do pass.

That House Bill No. 14 be passed for the day.

That House Bill No. 78 do pass.

That consideration of House Bill No. 25 be passed for the day.

That House Joint Resolution No. 1 do pass.

That the Committee rise and report.

COX, Chairman

Cox moved for adoption of the Committee of the Whole report.

Hall made a substitute motion that House Bill No. 21 be segregated from the Committee of the Whole report and, as so amended, the report be adopted. Motion carried.

January 14, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: 17, 4, 7, 11, 19, 22, 55, 96.

MARKS, Chairman

MOTIONS AND RESOLUTIONS

A motion was made by Hall that House Bill No. 21 be re-referred to Committee on Business and Industry. Motion carried.

A motion was made by Wolf that House Bill No. 25 be re-referred to Committee on Highways. Motion carried.

A motion was made by Robbins that House Bill No. 14 be taken from Second Reading and be re-referred to Committee on Affairs of Cities. Motion carried.

Harrison moved that Third Reading be passed for the day. Motion carried.

Motion was made by Harrison that the House adjourn until 1:30 p.m., January 15, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

TWELFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 15, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Gerke, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eleventh Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

January 15, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: 35, 42, 58, 65, 68, 69, 71, 77, 78, 86 and House Joint Resolution 1.

MARKS, Chairman

January 15, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 64, 93, 150, 151, 152, 153, 154, 155, 18, 163, 39, beg leave to report that the same have this date been returned from the printed correctly printed.

MARKS, Chairman

January 15, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 29, 30, 67, 63, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 15, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Fontella Standley be added to the payroll as proofreader effective January 13, 1971.

And further recommend that Donald J. Hanson, Security Guard, be removed from the payroll effective January 12, 1971.

And further recommend that the following be added to the payroll as Multilith Clerks effective January 14, 1971: Robert G. Galland, Michael J. Kokoruda and Frances M. Meyer.

Report adopted.

SPILDE, Chairman

January 15, 1971

Mr. Speaker: We, your committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 113, respectfully report as follows: That House Bill No. 113 be amended on page 7, section 4, line 19, before the word "at" by striking the underscore.

And further amend on page 7, section 4, lines 19, 20, and 21, after the words "he has" on line 19 by striking the following material "at least one (1) year of practical experience in a pharmacy which has been approved by the board of pharmacy."

And as so amended do pass.

Report adopted.

KELLER, Chairman

January 15, 1971

Mr. Speaker: We, your committee on Labor and Compensation, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 do pass.

Report adopted.

EAST, Chairman

January 15, 1971

Mr. Speaker: We, your committee on Labor and Compensation, having had under consideration House Bill No. 76, respectfully report as follows: That House Bill No. 76 do pass.

Report adopted.

EAST, Chairman

January 14, 1971

Mr. Speaker: We, your committee on State Administration, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 be amended on page 2, section 3, line 12 through and including line 18 of the original and introduced bill after the word "commission" by deleting the material therein in its entirety and inserting in lieu thereof a period, and

be further amended on page 3, following section 6, line 26 of the original and introduced bill by adding the following new section "section 7. The provisions of this act shall not be applicable to any motor vehicle used in service of the governor, the attorney general or the highway patrol."

And further amend subsequent sections to conform numerically, and

As so amended do pass.

Report adopted.

SWAN, Chairman

January 15, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 5, respectfully report as follows: That House Bill No. 5 do pass.

Report adopted.

WORDEN, Chairman

January 15, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 do not pass.

WORDEN, Chairman

Report adopted.

January 15, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125 do not pass.

WORDEN, Chairman

Report adopted.

SPECIAL ORDERS

The following oath was administered by Associate Justice John Harrison to Keith Nelstead, newly appointed Legislator from District 9:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office as representative with fidelity; that I have not paid or contributed or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this state, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, SO HELP ME GOD."

MESSAGES FROM THE SENATE

January 15, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 28, was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith transmitted to the House for its concurrence in Senate Amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

January 15, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 5, introduced by Drake

Senate Bill No. 12, introduced by Rostad, Rugg, and Hazelbaker

Senate Bill No. 30, introduced by Hibbard, Lynch

Senate Bill No. 46, introduced by James, Mackay

Senate Bill No. 50, introduced by Lynch, Turnage

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

January 14, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 15, introduced by Moore, et al

Senate Bill No. 26, introduced by Manning, Sheehy

Respectfully,

WALTER H. MARSHALL
Secretary of Senate

MOTIONS AND RESOLUTIONS

Scott moved that House Bill No. 166 be removed from the Committee on Judiciary and be referred to the Committee on Education. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 197, introduced by Baeth, Sheldon: A bill for an act entitled: "An act to create a new judicial district of the State of Montana to be composed of the county of Lincoln and known as the nineteenth judicial district." Referred to committee on Judiciary.

House Bill No. 198, introduced by Marks, Zimmer, Lee, Mehrens, Lombardi: A bill for an act entitled: "An act to amend the eligibility requirements for participation in benefits under the volunteer firemen's pension plan; amending Sections 11-2022, 11-2023, 11-2024 and 11-2025, R.C.M., 1947; repealing any acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 199, introduced by Scott: A bill for an act entitled: "An act to prohibit insurers from cancelling a professional liability insurance policy or increasing the premium rates thereon because of claims, demands or lawsuits that are determined to be unfounded or where nonliability is established." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 200, introduced by Haines, Zimmer, Nichols, Fitzgarrald, Lundgren, Brown, Worden, Himsl: A bill for an act entitled: "An act to amend Section 40-4917, R.C.M., 1947, exempting benevolent association from licenses and fees and to add a new section numbered 40-4918 requiring an annual license for benevolent associations." Referred to Committee on State Administration.

House Bill No. 201, introduced by Marbut, Lombardi, Lee, J. Murphy: A bill for an act entitled: "An act to amend Section 87-148, R.C.M., 1947, providing automatic coverage for any employer covered under the Federal Unemployment Tax Act; clarifying definition of employment of an individual or officer of a corporation; and the following in conformity with Public Law 91-373, employment security amendments of 1970; amending definition of employment to include coverage of certain non-profit organizations, hospitals or institutions of higher education operated by this state or its instrumentalities and services performed by a citizen outside the United States; redefining agricultural employment; defining institutions of higher education and hospitals; and deleting language no longer applicable." Referred to Committee on Labor and Compensation.

House Bill No. 202, introduced by Scott, Warfield, Fasbender, Dye, Darrow, Lockrem, Cox, Haines, J. Murphy, Bennett, Marbut, Fagg, Towe, Bradley, Watt, Parrish, Staigmilller, Swanberg: A bill for an act entitled: "An act to provide state public school equalization funds to school districts which maintain a free public kindergarten; amending Sections 75-6902, 75-6917, 75-7001, and 75-7507, R.C.M., 1947." Referred to Committee on Education.

House Bill No. 203, introduced by Campbell, Wolf: A bill for an act entitled: "An act amending Section 31-103, R.C.M., 1947, to authorize the Montana Highway Patrol Board to make rules and regulations; and providing an effective date." Referred to Committee on Highways.

House Bill No. 204, introduced by Glennen, Marks, McGrath, Spilde, Forester, Healy, Lombardi: A bill for an act entitled: "An act to amend Section 84-1836 of the Revised Codes of Montana, 1947, pertaining to credits on special fuel taxes; authorizing the use of measuring devices to determine amounts of special fuel consumed by a motor vehicle while the vehicle is stationary; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 205, introduced by Glennen, McGrath, Forester, Christiansen, Ulmer, Healy, Lombardi: A bill for an act entitled: "An act amending the Motor Carrier Act requiring motor carriers transporting livestock for hire to obtain a certificate of public convenience and necessity, providing for grandfather rights and providing exemptions." Referred to Committee on Highways.

House Bill No. 206, introduced by Glennen, Marks, McGrath, Christiansen, Forester, Ulmer, Healy, Lombardi: A bill for an act entitled: "An act to amend Sections 84-1834 and 84-1835 of the Revised Codes of Montana, 1947, pertaining to monthly returns and payments of special fuel taxes and the preparation and retention of records thereof; providing that, except in the case of a fraudulent return or of neglect, or refusal to make a return, every deficiency shall be assessed within three years after the twenty-fifth day of the next succeeding calendar month following the monthly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires the later; providing that records of the use of such fuels shall be required to be kept for a period of at least three years from the date on which the return is required to have been filed; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 207, introduced by Baeth, Shelden, Marbut, Kendall, Fleming: A bill for an act entitled: "An act amending Section 32-2114, R.C.M., 1947, defining street and highway for the purpose of the uniform act regulating traffic on highways, to include certain forest service roads within said definition, and amending Section 32-1122, R.C.M., 1947, to exclude regulation of size and weight of vehicle using said forest service roads from the provisions prohibiting the use of same on any public highway." Referred to Committee on Judiciary.

House Bill No. 208, introduced by Cox, Lucas, Harrison, Robbins, Snortland, Gunderson, Kosena, Campbell, Harper: A bill for an act entitled: "An act to provide for removal of elective officers of cities and towns under a mayor-council form of government and to amend Sections 11-721 and 11-1013, R.M.C., 1947, pertaining to removal of officers." Referred to Committee on Affairs of Cities.

House Bill No. 209, introduced by Sverdsten, Kendall, Campbell: A bill for an act entitled: "An act providing for collection of service charges by cities and towns operating a municipal sewer or water system; giving of notice to owners of real estate of delinquency in payment of service charges; and certification to the County Assessor or real estate upon

which service charges remain unpaid; and adding a new Section 84-4726.1." Referred to Committee on Affairs of Cities.

House Bill No. 210, introduced by Lucas, East, Baeth, Lee, Cox, Lombardi, Ellerd: A bill for an act entitled: "An act to amend Section 87-110 of the Unemployment Compensation Law, R.C.M., 1947, by providing the right to elect coverage by the political subdivisions of this state for its employees in hospitals and institutions of higher learning in conformity with Public Law 91-373, employment security amendments of 1970; fixing an effective date; deleting language no longer applicable." Referred to Committee on Labor and Compensation.

House Bill No. 211, introduced by East, Lucas, Clemow, Edland, Baeth, Lee, Lombardi, Ellerd: A bill for an act entitled: "An act to amend Section 87-104 of the Unemployment Compensation Law, R.C.M., 1947, by amending the duration of benefits to provide a program of extended benefits in conformity with Public Law 91-373, employment security amendments of 1970; and fixing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 212, introduced by Edland, Lien, Knudsen, Perry: A bill for an act entitled: "An act to amend Section 46-2331, R.C.M., 1947, relating to fees which may be imposed by the State Grass Conservation Commission against districts." Referred to Committee on Livestock and Ranges.

House Bill No. 213, introduced by Haines, Lucas, Harrison, Dye, Christiansen, Fasbender: A bill for an act entitled: "An act to amend Section 23-3706, R.C.M., 1947, relating to the mailing of an absentee ballot to an elector, providing for the use of protective inserts and instructions on procedures in instances of adhesion of the balloting material and the type of writing instrument to be used to mark the absentee ballot." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 214, introduced by Haines, Lucas, Harrison, Dye, Christiansen, Fasbender: A bill for an act entitled: "An act to amend Title 23, Chapter 37, R.C.M., 1947, by adding a new section relating to absentee voting and registration, providing for the registration of electors whose United States services or employment has terminated too late to register in person to vote in the next ensuing election." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 215, introduced by Haines, Lucas, Harrison, Dye, Christiansen, Fasbender: A bill for an act entitled: "An act to amend Section 23-3720, R.C.M., 1947, relating to oaths for electors in United States service, providing for the administration and attestation of such oaths by any member of the Merchant Marine of the United States designated for this purpose by the Secretary of Commerce, the head of any department or agency of the United States, any civilian employee designed by the head of any department or agency of the United States as well as any commissioned officer in active service and any civilian official empowered by state or federal law to administer oaths." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 216, introduced by Haines, Lucas, Harrison, Dye, Christiansen, Fasbender: A bill for an act entitled: "An act to amend Section 23-3718, R.C.M., 1947, relating to the definition of 'electors in the United States service', providing for the franchising of additional electors." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 217, introduced by Haines, Lucas, Harrison, Dye, Christiansen, Fasbender: A bill for an act entitled: "An act to amend Section 23-3721, R.C.M., 1947, relating to the use of the federal post card application by registrars after receipt of such cards from electors in the

United States service, providing for the acceptance of the federal post card applications as simultaneous application for registration and for ballot." Referred to Committee on Constitution, Elections, and Federal Relations.

House Bill No. 218, introduced by Himsl, Brown, Schoonover: A bill for an act entitled: "An act to amend Section 75-8125, R.C.M., 1947, providing for annexation of elementary districts by a community college district." Referred to Committee on Education.

House Bill No. 219, introduced by Keller, Selstad, Swanberg, Baeth: A bill for an act entitled: "An act amending Section 93-2810, R.C.M., 1947, to provide that the remarriage of the spouse of a decedant in a wrongful death action shall be admissible into evidence on the issue of damages." Referred to Committee on Judiciary.

House Bill No. 220, introduced by Himsl, Brown, Schoonover: A bill for an act entitled: "An act to amend Section 75-8117, R.C.M., 1947, providing for notice of special meetings of the board of trustees." Referred to Committee on Education.

House Bill No. 221, introduced by Himsl, Brown, Schoonover: A bill for an act entitled: "An act to amend Section 75-8112, R.C.M., 1947, providing for the organization of a community college district." Referred to Committee on Education.

House Bill No. 222, introduced by Watt, Bradley: A bill for an act entitled: "An act to limit the number of natural children a taxpayer may claim on the income tax form by amending Section 84-4910, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 223, introduced by T. L. Murphy, Baeth, Weeding, Yardley, Bardanouve, Shelden, Jackson, Harper, Darrow, Snortland: A bill for an act entitled: "An act requiring all employers to grant to employees who are elected or appointed to full time public office leave of absence of not more than one hundred eight (180) calendar days while engaged in such service; and requiring such employees to return to work, unless physically unable, within thirty (30) days following the completion of such public service or lose their seniority." Referred to Committee on State Administration.

House Bill No. 224, introduced by Burnett, Knudsen, Giesick, Aber, Brown: A bill for an act entitled: "An act to amend Section 32-2142, R.C.M., 1947, to establish a mandatory minimum sentence for a second or third conviction of driving while under the influence of intoxicating liquor." Referred to Committee on Judiciary.

House Joint Resolution No. 10, introduced by Darrow, McGrath, Ainsworth, Aspevig, Dye, Kvaalen, Haines, Greely: A Joint Resolution of the Senate and House of Representatives directing the State Water Resources Board to assign administrative control of certain lands presently controlled by the State Water Resources Board to the State Fish and Game Commission for state recreation area development. Referred to Committee on Fish and Game.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Harrison that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Yardley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 38 do pass.

That House Bill No. 117 be amended in the title, being lines 6 and 7, page 1 of the printed bill (1/13/71), following the word "act" by striking the words and figures "to repeal Chapter 344 of 1969 session laws and have the", and by inserting in lieu thereof the words and figures "to amend Section 26-104, R.C.M., 1947, deleting the requirement that drawings for elk permits be held in the city or town nearest the area to be hunted and allowing", and, as so amended, do pass.

That House Bill No. 64 do pass.

That House Bill No. 93 do pass.

That House Bill No. 150 do pass.

That House Bill No. 151 do pass.

That House Bill No. 152 do pass.

That House Bill No. 153 do pass.

That House Bill No. 154 do pass.

That House Bill No. 155 do pass.

That House Bill No. 163 do pass.

That House Bill No. 39 do not pass.

That the Committee rise and report.

YARDLEY, Chairman

Yardley moved for the adoption of the committee report. As a substitute motion, Perry moved that House Bill No. 117 be segregated from the committee report and committee report be adopted as amended. A roll call vote was called for, with Yeas and Nays spread on the Journal. Sufficient second arose. The substitute motion failed by the following vote:

Ayes: Aspevig, Baeth, Bardanouve, Brand, Brown, Clemow, Cox, Edland, Eggebrecht, Gunderson, Hall, Himsl, Hodges, Keller, Knudsen, Kolstad, Laas, Lanthorn, Lien, Lombardi, Lund, McNamer, Marbut, Marks, Mehrens, Norman, Olson, Perry, Prevost, Selstad, C. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Watt, Weeding, Wolf, Worden, Zody, Mr. Speaker. Total 42.

Noes: Aber, Ainsworth, Anderson, Bennett, Bradley, Burnett, Campbell, Christiansen, Darrow, Devine, East, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Haines, Harper, Healy, Hemstad, Jackson, Johnston, Kendall, Kosena, Kvaalen, Lee, Lockrem, Lynch, McGrath, McKittrick, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, Towe, Ulmer, Warfield, Whitney, Yardley, Zimmer. Total 53.

Absent or not voting: Asbjornson, Dye, Ellerd, Harrison, Lockwood, Lundgren, E. Smith, Sverdsten. Total 8.

Excused: Gerke. Total 1.

Report adopted.

The Speaker signed the following Senate Bill in open session, the title having first been read: Senate Bill No. 2.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 4 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103.

Noes: None.

Absent or not voting: None.

Excused: Gerke. Total 1.

House Bill No. 6 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: Mehrens, C. Smith. Total 2.

Absent or not voting: None.

Excused: Gerke. Total 1.

House Bill No. 7 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103.

Noes: None.

Absent or not voting: None.

Excused: Gerke. Total 1.

House Bill No. 11 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Greely, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Mr. Speaker. Total 83.

Noes: Aspevig, Brand, Devine, Eggebrecht, Fasbender, Fleming, Gunderson, Haines, Hall, Laas, Lee, Mehrens, Prevost, Schoonover, Scott, Staigmiller, Weeding, Yardley, Zimmer, Zody. Total 20.

Absent or not voting: None.

Excused: Gerke. Total 1.

House Bill No. 17 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Bardanouve, Giesick, Knudsen. Total 3.

Absent or not voting: None.

Excused: Gerke. Total 1.

House Bill No. 19 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 87.

Noes: Anderson, Bardanouve, Brand, Burnett, East, Falkenstern, Giesick, Marks, Mather, E. Smith, Spilde, Staigmiller, Swan, Ulmer, Whitney. Total 15.

Absent or not voting: Perry. Total 1.

Excused: Gerke. Total 1.

House Bill No. 22 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: Burnett, Perry, Robbins, C. Smith, Whitney. Total 5.

Absent or not voting: None.

Excused: Gerke. Total 1.

House Bill No. 26 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Baeth, Brand, Cox, Darrow, Fagg, Harper, Knudsen, Lee, Lynch, Marbut, Quilici, Schoonover, Yardley. Total 13.

Absent or not voting: None.

Excused: Gerke. Total 1.

House Bill No. 55 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: Brown. Total 1.

Absent or not voting: None.

Excused: Gerke. Total 1.

House Bill No. 96 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jack-son, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swan-berg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Fasbender, Haines. Total 2.

Absent or not voting: Nichols. Total 1.

Excused: Gerke. Total 1.

UNFINISHED BUSINESS

The Speaker announced that Worden is now chairman of the Com-mittee on Business and Industry and Spilde is vice chairman.

Hemstad was put on Committee on Fish and Game and Marbut was taken off Committee on Fish and Game.

Harrison moved that the House adjourn until 10:30 a.m., January 16, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

THIRTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 16, 1971

House convened, pursuant to adjournment, at 10:30 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Gerke, excused.

The Speaker appointed the following members of the Special Committee on Long-Range Building: Himsl, Chairman; McNamer, Olson, Knudsen, Swanberg.

Mr. Speaker: We, your Committee on Rules and Journal, having exam-ined the Journal for the Twelfth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

January 16, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: 38, 64, 93, 117, 150, 151, 152, 153, 154, 155, 163.

MARKS, Chairman

January 16, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 113, 60, 76, 5, 34, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 16, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Kenneth A. Moore and Gerald L. Watne be added to the payroll as Security Guards effective January 16, 1971.

SPILDE, Chairman

Report adopted.

January 16, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 166, respectfully report as follows: That House Bill No. 166 do pass.

WARFIELD, Chairman

Report adopted.

January 16, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 218, respectfully report as follows: That House Bill No. 218 do pass.

WARFIELD, Chairman

Report adopted.

January 16, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 do pass.

WARFIELD, Chairman

Report adopted.

January 16, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 do pass.

WARFIELD, Chairman

Report adopted.

January 16, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 61, respectfully report as follows: That House Bill No. 61 do pass.

WOLF, Chairman

Report adopted.

January 16, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 do pass.

WOLF, Chairman

Report adopted.

January 16, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 do pass.

SWAN, Chairman

Report adopted.

January 16, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 7, respectfully report as follows: That House Joint Resolution No. 7 do pass.

SWAN, Chairman

Report adopted.

January 16, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 100, respectfully report as follows: That House Bill No. 100 be amended as follows:

Be amended on page 2, section 1, line 8 of the original and introduced bill, after the words "service rangers" by striking the words "and technicians."

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 16, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 98, (Scott moved that the House suspend Rules and consider all sections as having been read. Motion carried.) respectfully report as follows: That House Bill No. 98 do pass.

SCOTT, Chairman

Report adopted.

January 16, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 do pass.

SCOTT, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Swan moved that House Bill No. 34 be taken from Second Reading and be re-referred to Committee on State Administration. Motion carried.

Having voted on the prevailing side in adopting an adverse committee report on House Bill No. 125, Hall moved that the House reconsider its action.

Fasbender made a substitute motion that the motion to reconsider House Bill No. 125 be laid on the table. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee:

House Bill No. 145, introduced by Fasbender, Johnston, McKittrick, Swan, Devine, Greely, Staigmiller, Hodges, Swanberg, Wolf, Gunderson, Snortland, Hall: A bill for an act entitled: "An act appropriating moneys from the long-range building program account, bond proceeds and insur-

ance clearance fund' to the State Controller for a capital project for the Fish and Game Commission for the biennium ending June 30, 1973." Referred to Long-Rang Building Committee.

House Bill No. 146, introduced by Johnston, Snortland, Fasbender, Laas, Kosena, Bardanouve, Lanthorn, Selstad, Wolf Hemstaad, Schoonover: A bill for an act entitled: "An act appropriating moneys from the 'long-range building program account, bond proceeds and insurance clearance fund' to the State Controller for a capital project for the Fish and Game Commission for the biennium ending June 30, 1973." Referred to Long-Range Building Committee.

House Bill No. 225, introduced by Bradley, Lanthorn: A bill for an act entitled: "An act to require the appointment of female deputy sheriffs for female prisoners confined in county jails." Referred to Committee on Townships and Counties.

House Bill No. 226, introduced by Greely, Bennett: A bill for an act entitled: "An act to remove the limitation of the number of deputies allowed county officers by repealing Sections 16-3701, 16-3704, and 16-3706, R.C.M., 1947." Referred to Committee on Townships and Counties.

House Bill No. 227, introduced by Patrick, Nichols, Lund, Bardanouve: A bill for an act entitled: "An act to repeal Montana's Meat Inspection Law, Sections 46-401 through 46-415, R.C.M., 1947." Referred to Committee on Business and Industry.

House Bill No. 228, introduced by Warfield, Aspevig: A bill for an act entitled: "An act to provide for the establishment, organization and operation of the Agricultural Experiment Station by amending Sections 75-8411, 75-8428, and repealing in their entirety Sections 75-8412, 75-8413, 75-8414, 75-8415, 75-8416, 75-8417, 75-8418, 75-8419, 75-8420, 75-8421 and 75-8422 of the Higher Education Laws Recodification of the 42nd Session Laws of Montana." Referred to Committee on Agriculture and Irrigation.

House Bill No. 229, introduced by Greely, Swanberg: A bill for an act entitled: "An act deleting the requirement of being a 'freeholder' or 'tax-paying freeholder' amending Sections 11-710, 11-714, 11-725, 11-1021, 11-1207, 11-1208, 11-3417, 84-4706 and 84-4710, R.C.M., 1947." Referred to Committee on Judiciary.

House Bill No. 230, introduced by Gunderson, Fleming, Glennen: A bill for an act entitled: "An act amending Section 3-228, R.C.M., 1947, providing for the bonding, licensing and fees of warehouseman, track buyer, grain dealer and others; and providing penalties for operating without a license." Referred to Committee on Business and Industry.

House Bill No. 231, introduced by Haines, Nichols: A bill for an act entitled: "An act amending Sections 28-103 and 28-123, R.C.M., 1947, providing for definitions of conservation and lands for conservation purposes; and providing for disposal of moneys for forest, forest range, forest water, and forest soil conservation by the Board of Forestry." Referred to Committee on Environment and Resources.

House Bill No. 232, introduced by Haines, Nichols: A bill for an act entitled: "An act amending Section 81-1413, R.C.M., 1947, providing ex officio firewardens with the power of peace officers for the purpose of enforcing any state or federal forest laws and for those purposes set forth in Section 28-125." Referred to Committee on Judiciary.

House Bill No. 233, introduced by Giesick: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to Section 5, Article XIII of the Montana Constitution removing the requirement for approval by the electorate for county indebtedness in excess of ten thousand dollars (\$10,000) when the indebtedness is incurred for single airport development project." Referred to Committee on Judiciary.

House Bill No. 234, introduced by Giesick, Lockrem, Cox, Haines, Christiansen, Fasbender, Nelstead: A bill for an act entitled: "An act amending Section 94-1436, R.C.M., 1947, to increase the length of time itemized statements of candidates for public office must be held as public records." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 235, introduced by Selstad, Keller, Snortland, Anderson, Robbins, Aspevig, E. Smith, Lanthorn, Kosena, Devine, Bennett, Gunderson, Aber, Forester, Giesick, Brown, Glennen, Lockwood, Patrick, Kolstad, Lundgren, Perry, Parrish, Zimmer, Wolf, Warfield, Lund, Burnett, Lockrem, Nichols: A bill for an act entitled: "An act requiring the Governor to pay a one thousand dollar reward to any person or persons giving valuable information that leads to the arrest, conviction and imprisonment in the Montana State Prison of any person who sells a dangerous drug as defined in Chapter I, Title 54, Revised Codes of Montana, 1947, and providing for procedures for collection of the reward." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 236, introduced by Lockwood, Towe, Bennett, Aspevig: A bill for an act entitled: "An act amending Section 87A-9-110, R.C.M., 1947, providing what is a sufficient real estate description for financing statements covering crops growing or to be grown." Referred to Committee on Judiciary.

House Bill No. 237, introduced by Fagg, Keller: A bill for an act entitled: "An act to amend Section 75-5707, R.C.M., 1947, providing that "duties of trustees" may require immunizations as a prerequisite for school entrance." Referred to Committee on Education.

House Bill No. 238, introduced by Mather, Robbins: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, relating to taxation and classification of rights of entry." Referred to Committee on Judiciary.

House Joint Resolution No. 9, introduced by Forester, Falkenstern, Cox, Marbut, C. Smith, Nichols, Fitzgarrald, Eggebrecht, Brand, Lien, Prevost, Fagg, Wolf, Warfield, Lund, Giesick, Asbjornson, Olson, Lockrem, Perry, Johnston, Zody, Baeth, Jackson, Lee, Mehrens, Fleming, Schoonover, Hall, Kendall. A Joint Resolution of the Senate and House of Representatives of the State of Montana to all private and public high schools, colleges and universities in the State of Montana, to all Montana veterans' organizations, to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, and to the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, endorsing ROTC training in high schools, colleges and universities and urging continued support and strengthening of the programs. Referred to Committee on Education.

House Joint Resolution No. 11, introduced by Harrison: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the Legislative Council conduct a study of the feasibility and desirability of adopting the Uniform Consumer Credit Code and report its findings to the Forty-third Legislative Assembly. Referred to Committee on Business and Industry.

House Joint Resolution No. 12, introduced by Schoonover, Nichols, J. Murphy, Christiansen: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the State Superintendent of Public Instruction to computerize all relevant statistical data needed to compute the Public School Foundation Program Schedules so as to establish a more realistic program of school financing under Montana law. Referred to Committee on Education.

Senate Bill No. 5, introduced by Drake: A bill for an act entitled: "An act amending Section 26-332, R.C.M., 1947, concerning restrictions about

method of catching, possession, and sale of fish." Referred to Committee on Fish and Game.

Senate Bill No. 12, introduced by Rostad, Rugg, Hazelbaker: A bill for an act entitled: "An act amending Section 16-4307, R.C.M., 1947, providing for the appointment of a trustee for a hospital district when no nominations are submitted." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 30, introduced by Hibbard, Lynch: A bill for an act entitled: "An act to amend Section 59-538, R.C.M., 1947, providing per diem allowance for state employees." Referred to Committee on State Administration.

Senate Bill No. 46, introduced by James, Mackay: A bill for an act entitled: "An act to require each state agency to submit an annual written report to the Governor rather than a biennial report; amending Section 82-4002, R.C.M., 1947." Referred to Committee on State Administration.

Senate Bill No. 50, introduced by Lynch, Turnage: A bill for an act entitled: "An act to allow Highway Patrol to check driver's licenses, amending Section 95-618, R.C.M., 1947." Referred to Committee on Highways.

Senate Bill No. 15, introduced by Moore, Lynch, Drake, Turnage: A bill for an act entitled: "An act to amend Section 67-1602.1, R.C.M., 1947, to validate all join tenancies created by direct conveyance prior to July 1, 1963." Referred to Committee on Judiciary.

Senate Bill No. 26, introduced by Manning, Sheehy: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and providing that this act may be cited as "the 1971 bond validating act"; containing a repealing clause and providing an effective date." Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Harrison that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading of Bills. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 5 be amended in Section 3, subsection 3, page 3, line 23 to 26 of the original and reproduced House Bill 5 following the word "service" by striking the words "whether or not such industrial or commercial premises are located closer to the lines of an electric cooperative as provided in subsection (2) (a) of this section, but" and inserting in lieu thereof the words, "provided however such electric utility can extend its lines to such industrial or commercial premises at less cost to the electric utility, or the industrial or commercial customer, than the electric cooperative cost. An independent consultant engineer agreeable to both electric suppliers, or in the event of failure of the electric suppliers to agree on a consultant engineer then by an independent consultant engineer selected by the district court having jurisdiction as provided in Section 6 of this act shall determine which electric supplier can extend

its lines to the consumer at the least cost. The costs of such engineering services shall be paid equally by the electric suppliers involved."

And, as so amended, do pass.

That House Bill No. 29 do pass.

That House Bill No. 30 do pass.

That House Bill No. 67 do pass.

That House Bill No. 113 do pass.

That House Bill No. 60 do pass.

That House Bill No. 63 do not pass.

That House Bill No. 76 be amended in the title following "1947" by inserting the words "providing an effective date."

And, as so amended, do pass.

That Senate Amendments to House Bill No. 28 be concurred in.

That the Committee rise and report.

KVAALEN, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 35 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 100.

Noes: None.

Absent or not voting: Lanthorn, Perry, Mr. Speaker. Total 3.

Excused: Gerke. Total 1.

House Bill No. 42 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost,

Quilici, Robbins, Schoonover, Scott, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody. Total 93.

Noes: Asbjornson, Falkenstern, Healy, Kolstad, Lockrem, Lynch, Selstad, Whitney. Total 8.

Absent or not voting: Perry, Mr. Speaker. Total 2.

Excused: Gerke. Total 1.

House Bill No. 58 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. B. Smith, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 92.

Noes: Haines Hemstad, Himsl, Laas, Lockrem, McNamer, Marks, C. M. Smith, Snortland, Spilde. Total 10.

Absent or not voting: Mr. Speaker. Total 1.

Excused: Gerke. Total 1.

House Bill No. 65 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody. Total 97.

Noes: Mather, Perry, C. M. Smith, Ulmer, Whitney. Total 5.

Absent or not voting: Mr. Speaker. Total 1.

Excused: Gerke. Total 1.

House Bill No. 68 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman,

Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. B. Smith, Snortland, Staigmiller, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 88.

Noes: Ainsworth, Burnett, Campbell, East, Giesick, McNamer, Mather, C. M. Smith, Spilde, Swan, Ulmer, Whitney, Wolf. Total 13.

Absent or not voting: Falkenstern, Mr. Speaker. Total 2.

Excused: Gerke. Total 1.

House Bill No. 69 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fاسبender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. B. Smith, Snortland, Staigmiller, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 86.

Noes: Ainsworth, Burnett, Campbell, East, Giesick, Hemstad, Kolstad, Mather, Perry, C. M. Smith, Spilde, Swan, Ulmer, Whitney, Wolf. Total 15.

Absent or not voting: Falkenstern, Mr. Speaker. Total 2.

Excused: Gerke. Total 1.

House Bill No. 71 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody. Total 101.

Noes: Zimmer. Total 1.

Absent or not voting: Mr. Speaker. Total 1.

Excused: Gerke. Total 1.

House Bill No. 77 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks,

Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 102.

Noes: None.

Absent or not voting: Mr. Speaker. Total 1.

Excused: Gerke. Total 1.

House Bill No. 78 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 102.

Noes: None.

Absent or not voting: Mr. Speaker. Total 1.

Excused: Gerke. Total 1.

House Bill No. 86 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 98.

Noes: McNamer, Patrick, Snortland. Total 3.

Absent or not voting: Nichols, Mr. Speaker. Total 2.

Excused: Gerke. Total 1.

House Joint Resolution No. 1 was passed by the following vote:

Ayes: Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Devine, Edland, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Johnston, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, McNamer, Marbut, Mehrens, Menahan, T. L. Murphy, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Shelden,

Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 66.

Noes: Aber, Asbjornson, Aspevig, Cox, Darrow, Dye, East, Eggebrecht, Falkenstern, Forester, Giesick, Glennen, Hemstad, Himsl, Jackson, Keller, Kolstad, Lockrem, Lockwood, Lundgren, McGrath, Marks, Mather, J. E. Murphy, Nichols, Patrick, Perry, Scott, Selstad, C. M. Smith, Snortland, Spilde, Ulmer, Whitney, Wolf. Total 35.

Absent or not voting: E. B. Smith, Mr. Speaker. Total 2.

Excused: Gerke. Total 1.

Harrison moved that the House adjourn until 1:30 p.m., January 18, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

FIFTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 18, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Gerke and Shelden, excused.

The Speaker signed the following Senate Bill in open session: Senate Bill No. 6.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirteenth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

January 18, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: 5, 76, 29, 30, 67, 113, 60.

MARKS, Chairman

January 18, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 100, 166, 218, 220, 171, 61, 59, 109, 98, 103, and House Joint Resolution No. 7, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 18, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following pages be removed from the payroll effective January 17, 1971:

Catherine Ask
Susie Earley
Leslie Ann Fuehrer
Bonnie Rae Kukes
Tom Nordberg

And further recommend that the following be added to the payroll as pages effective January 18, 1971:

Dorothy Anne Breen
Daniel Brooks
David Dwyer
Leslie Harrington
Margo Hickman
Colleen Kelleher
Steven J. Malek

And further recommend that the following be added to the payroll. Effective dates as listed.

Paul R. Jezick.....	Typist.....	1/15/71
Marie Berg.....	Multilith Clerk.....	1/18/71
LaVada J. Marquardt.....	Steno.....	1/18/71
Donald R. Casey.....	Doorkeeper.....	1/18/71

And further recommend that Selmer J. Kolstad be changed from Doorkeeper to Mailing Room Runner effective 1/18/71.

SPILDE, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 118, respectfully report as follows: That House Bill No. 118 be amended on page 3, section 10, lines 18 through 20, of the original and introduced bill, after the word "shall" by striking the following material in its entirety, "[either deliver the offender to the nearest justice of the peace during office hours, or to the county jail, or in lieu thereof,]" and

(Material in brackets denotes cancelled type.)

be further amended on page 3, section 10, line 25, of the original and introduced bill, after the word "charged," by adding the following sentence: "The person arrested may be detained for a reasonable time for the purpose of issuing the summons." and

be further amended on page 3, section 10, line 24 of the original and introduced bill, after the word "to" by striking the words "[set and]" and

(Material in brackets denotes cancelled type.)

be further amended on page 3, section 10, line 26, of the original and introduced bill, after the word "employee" by striking the words "[sets and]"

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on Judiciary, having had under

consideration House Bill No. 115, respectfully report as follows: That House Bill No. 115 do not pass.

SCOTT, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 do pass.

WORDEN, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 do not pass.

WORDEN, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on State Administration, having had under consideration House Bill No. 119, respectfully report as follows: That House Bill No. 119 do pass.

SWAN, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on Ways and Means, having had under consideration House Bill No. 47, respectfully report as follows: That House Bill No. 47 do not pass.

ULMER, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on Ways and Means, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 do not pass.

ULMER, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on Ways and Means, having had under consideration House Bill No. 127, respectfully report as follows: That House Bill No. 127 do pass.

ULMER, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on Ways and Means, having had under consideration House Bill No. 128, respectfully report as follows: That House Bill No. 128 do pass.

ULMER, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on Ways and Means, having had under consideration House Bill No. 49, respectfully report as follows: That House Bill No. 49 be amended on page 1, section 3, subsection (a), line 20 of the original and introduced bill, after the word and punctuation "and," by deleting the following material "[other than mineral or royalty interests severed therefrom,]" and

(Material in brackets denotes cancelled type.)

Be further amended on page 4, section 10, subsection (8), line 3 of the original and introduced bill, after the word "only" by deleting the following material "[mineral, royalty or]"

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 16, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence: Senate Bill No. 64, introduced by Bennett, Flynn; Senate Bill No. 17, introduced by Moore.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Scott moved that House Bill No. 199 be removed from Committee on Public Health, Welfare and Safety and placed in Committee on Judiciary. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committee:

House Bill No. 239, introduced by Haines, Nichols: A bill for an act entitled: "An act to amend Section 28-125, R.C.M., 1947, providing for clarification of those laws which ex officio firewardens shall enforce; and including field officers of the United States Bureau of Land Management as ex officio firewardens." Referred to Committee on Judiciary.

House Bill No. 240, introduced by Brand, Menahan, Lee, Lombardi, Harper, Lynch, Quilici, Healy, Mehrens: A bill for an act entitled: "An act setting the salary schedule for guards at the state prison." Referred to Committee on State Administration.

House Bill No. 241, introduced by Kvaalen: A bill for an act entitled: "An act appropriating seventeen thousand dollars (\$17,000) to the University of Montana for archaeological surveys under the supervision of the Department of Anthropology." Referred to Committee on Appropriations.

House Bill No. 242, introduced by Gunderson, E. Smith, Lien, Anderson, Brand, Staigmiller, Aspevig, Selstad, Knudsen, Johnston, Laas, Cox, Kolstad, Snortland, Edland, Hemstad, Nichols, Fitzgarrald, Perry, Fleming, Weeding, Eggebrecht, Towe, Fasbender: A bill for an act entitled: "An act to amend Section 3-2911 and Section 3-2913, R.C.M., 1947, relating to the Assessment of wheat grown in the State of Montana." Referred to Committee on Agriculture and Irrigation.

House Bill No. 243, introduced by Fagg, Bradley, E. Smith, T. Murphy, Prevost, Norman, Ulmer, Robbins, Snortland, Glennen, Darrow, Schoonover, Towe, Fasbender, Hall, Forester, Cox, Scott, Warfield, Lund, Yardley, Johnston, McKittrick, Weeding, Zody, Gunderson, Shelden: A bill for an act entitled: "An act requiring the licensing of persons engaged in mining exploration, mining and related activities; requiring permits

for the conduct of such mining exploration, mining and related activities; providing for the administration and enforcement of said act by the council on natural resources and development; and providing for an appeal procedure." Referred to Committee on Business and Industry.

House Bill No. 244, introduced by Fagg, Bradley, E. Smith, Mather, T. Murphy, Prevost, Norman, Ulmer, Robbins, Snortland, Glennen, Darrow, Schoonover, Towe, Fasbender, Hall, Forester, Cox, Scott, Warfield, Lund, Johnston, Yardley, Ainsworth, McKittrick, Weeding, Zody, Gunderson, Shelden: A bill for an act entitled: "An act eliminating the requirement of sinking a shaft for the location of a mining claim; providing for a certificate of location; providing for the contents of an affidavit of performance of annual work and extending the time for filing such affidavit; amending Section 50-701, 50-702, 50-704 and 50-713, R.C.M., 1947; and repealing Section 50-706, R.C.M., 1947." Referred to Committee on Business and Industry.

House Bill No. 245, introduced by Hodges, Mehrens, Dye, McKittrick, T. Murphy, Staigmiller: A bill for an act entitled: "An act providing for the State Plumbing Board to administer the laws pertaining to the occupation and practice of plumbing, including license fees, fixture fees, inspections, etc.; amending Sections 66-2401 through 66-2407, 66-2409, 66-2411, 66-2419 and 66-2427; R.C.M., 1947, and repealing Sections 66-2413 and 66-2426, R.C.M., 1947." Referred to Committee on Business and Industry.

House Bill No. 246, introduced by Ulmer, Swanberg: A bill for an act entitled: "An act to appropriate money from the general fund to pay the amount owed to Casper G. Wolhowe for services rendered as superintendent of the State Industrial School, now called Pine Hills School; specifying an immediate effective date." Referred to Committee on Appropriations.

House Bill No. 247, introduced by Lien, Laas, Lanthorn, Lund, Lucas: A bill for an act entitled: "An act amending Section 16-3705, R.C.M., 1947, relating to qualifications and tenure of deputy sheriffs." Referred to Committee on Townships and Counties.

House Bill No. 248, introduced by Lanthorn, by request, Bennett, Keller, Selstad: A bill for an act entitled: "An act supplementing Title 94, Chapter 24, R.C.M., 1947, by providing for the suspension of beer and liquor licenses for violations of the gambling and lottery provisions of the laws and constitution of Montana." Referred to Committee on Judiciary.

House Bill No. 249, introduced by T. Murphy, Jackson, Snortland: A bill for an act entitled: "An act to be known as the manufactured dairy products act, repealing all of the present dairy products act and regulations contained in Montana statutes, Title 3, Sections 3-2401 through 3-2403; 3-2405 through 3-2431; 3-2434; 3-2436 through 3-2444; 3-2447 through 3-2472; 3-2476 through 3-2487; providing for the authority and duties of the commissioner of agriculture with respect to this act; defining those products and procedures regulated by this act; providing for the licensing and license fees for dairies producing milk and cream for manufacturing purposes, and for manufactured dairy products plants as defined; providing for the same licensing and regulatory authority for those non-dairy products made in the semblance or imitation of those products defined in this act; providing for the promulgation of rules and regulations necessary to carry out the intent and purpose of this act; providing for inspections of dairies providing milk and cream for manufacturing purposes and of manufactured dairy products plants, and the enforcement of rules and regulations pertaining to the sanitary production, manufacture, collection, transportation, handling, storage, and display of products governed by this act; providing for the establishment of standards of composition, quality, purity, and wholesomeness for dairy and non-dairy products defined in this act; authorizing and establishing procedures for the denial, sus-

pension, or revocation, for cause, of licenses issued under authority of this act; providing for those test procedures, the results of which may be used as official and admissible evidence; providing authority for the commission of agriculture to make cooperative agreements with other state, federal, county, or municipal departments or agencies as may be needed to carry out the intent and purpose of this act; and providing for the penalties for violation of this act or of the rules and regulations adopted under the authority of this act." Referred to Committee on Agriculture and Irrigation.

House Bill No. 250, introduced by Lynch, Lee, Mehrens, Quilici, Menahan, Harper, Lombardi, Kosen, Healy, Giesick, Kolstad, Snortland, E. Smith: A bill for an act entitled: "An act relating to payments to silicotics; amending Sections 71-1003, 71-1004 and 71-1008, R.C.M., 1947, as amended; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 251, introduced by Lynch, by request: A bill for an act entitled: "An act to repeal Sections 71-233, 71-234, 71-235, 71-236, 71-237, 71-238, 71-239 and 71-240, R.C.M., 1947, relating to the liability for contribution to the support of an applicant for public welfare assistance by the applicant's relatives." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 252, introduced by Lynch, by request: A bill for an act entitled: "An act relating to the work week of deputy sheriffs of first class counties." Referred to Committee on Townships and Counties.

House Bill No. 253, introduced by Swan, C. Smith, Snortland, Prevost, Schoonover, Laas, Kolstad: A bill for an act entitled: "An act to amend Section 15-2304, R.C.M., 1947, providing for the regulation of health service corporations, by subjecting such corporations to examination by the commissioner of insurance rather than to examination by the attorney general; and repealing Section 40-2611, R.C.M., 1947, which section exempts health service corporations from the Montana Insurance Code." Referred to Committee on State Administration.

House Bill No. 254, introduced by Dye, Fasbender: A bill for an act entitled: "An act to amend Section 84-1840, R.C.M., 1947, providing that not more than ten per cent (10%) or one thousand dollars (\$1,000.00) of funds allocated each fiscal year to any county, incorporated city or town shall be expended for maintenance and repair of roads or streets, and providing not more than seven thousand five hundred dollars (\$7,500.00) of allocated funds may be expended each fiscal year to any county, incorporated city or town without being submitted to bids; and amending paragraph (8) of said section relating to the reduction of allocated funds; and providing a tax of seven (7¢) cents per gallon on all gasoline." Referred to Committee on Townships and Counties.

House Bill No. 255, introduced by Dye, Fasbender: A bill for an act entitled: "An act to amend Section 84-1847, R.C.M., 1947, relating to the gasoline license tax providing for a tax of seven (7¢) cents per gallon; and providing an effective date." Referred to Committee on Ways and Means.

House Joint Resolution No. 13, introduced by Haines, Sverdsten, Ainsworth, Baeth, Nichols, Zimmer, Hodges, Worden, Marbut: A Joint Resolution of the Senate and the House of Representatives directing the State Historical Society to adequately portray the history of Montana's logging industry in the State Historical Museum. Referred to Committee on Business and Industry.

Senate Bill No. 64, introduced by Bennett, Flynn: A bill for an act entitled: "An act to amend Section 69-4610, R.C.M., 1947; providing that the confidentiality of all information concerning public venereal disease work be protected, preserved and remain inviolate; providing a definition

of the word 'information' in said section; and providing that such information is privileged and production thereof may not be required in legal proceedings." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 17, introduced by Moore: A bill for an act entitled: "An act to amend Section 15-22-119, R.C.M., 1947, to change the time for filing annual reports." Referred to Committee on Ways and Means.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 38 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Kendall, Zimmer. Total 2.

Excused: Gerke, Shelden. Total 2.

House Bill No. 64 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Robbins, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 90.

Noes: Fasbender, Hall, Hodges, Lee, McKittrick, Mehrens, Menahan, Quilici, Schoonover, Staigmilller, Towe. Total 11.

Absent or not voting: Zimmer. Total 1.

Excused: Gerke, Shelden. Total 2.

House Bill No. 93 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen,

Greely, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, C. Smith, E. Smith, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 88.

Noes: Brand, Gunderson, Hemstad, Kendall, Knudsen, Kolstad, Lockrem, Mather, Scott, Selstad, Snortland, Swan, Yardley. Total 13.

Absent or not voting: Zimmer. Total 1.

Excused: Gerke, Shelden. Total 2.

House Bill No. 117 was passed by the following vote:

Ayes: Ainsworth, Bennett, Bradley, Brown, Campbell, Christiansen, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Forester, Giesick, Glennen, Greely, Harper, Harrison, Healy, Johnston, Kendall, Kvaalen, Lockrem, Lockwood, Lynch, McGrath, McKittrick, Mather, J. Murphy, T. Murphy, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Spilde, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Yardley, Zimmer, Mr. Speaker. Total 54.

Noes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Brand, Burnett, Clemow, Cox, Edland, Eggebrecht, Fitzgarrald, Gunderson, Haines, Hall, Hemstad, Himsl, Hodges, Jackson, Keller, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lombardi, Lund, McNamer, Marbut, Marks, Mehrens, Menahan, Nichols, Norman, Perry, Prevost, Selstad, Snortland, Staigmiller, Sverdsten, Swan, Weeding, Wolf, Worden, Zody. Total 48.

Paired: Baeth, noe; Shelden, aye.

Absent or not voting: Lundgren. Total 1.

Excused: Gerke. Total 1.

House Bill No. 150 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: Lundgren. Total 1.

Excused: Gerke, Shelden. Total 2.

House Bill No. 151 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,

Clemow, Cox, Darrow, Devine, Dye, East, Edland, Egeebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: None.

Excused: Gerke, Shelden. Total 2.

House Bill No. 152 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Egeebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: None.

Excused: Gerke, Shelden. Total 2.

House Bill No. 153 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Harrison, McNamer. Total 2.

Excused: Gerke, Shelden. Total 2.

House Bill No. 154 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,

Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: E. Smith. Total 1.

Excused: Gerke, Shelden. Total 2.

House Bill No. 155 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Baranouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: T. Murphy, E. Smith. Total 2.

Excused: Gerke, Shelden. Total 2.

MOTIONS AND RESOLUTIONS

Harrison moved that House Bill No. 163 be taken from Third Reading until such time as correct engrossing had been completed on Senate Bill No. 1. Motion carried.

THIRD READING OF SENATE BILLS

The following having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Amendments to House Bill No. 28 were concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Baeth, Bennett, Bradley, Brown, Campbell, Christiansen, Cox, Darrow, Devine, Dye, Edland, Ellerd, Fasbender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 81.

Noes: Aspevig, Bardanouve, Burnett, Clemow, East, Eggebrecht, Fagg, Falkenstern, Hemstad, Himsl, McGrath, McNamer, Perry, C. Smith, E. Smith, Snortland, Ulmer. Total 17.

Paired: Dye, aye; E. Smith, no.

Absent or not voting: Ainsworth, Brand, Giesick, Mehrens. Total 4.

Excused: Gerke, Shelden. Total 2.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Harrison that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Lundgren in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 61 do pass.

That House Bill No. 166 be moved to the bottom of the list.

That House Bill No. 103 be amended on page 1 of House Bill No. 103, being line 13 of the Approved House Committee on Judiciary Bill dated January 16, 1971, following the words and punctuation "nurse," by striking the words and punctuation "dispensing optician,"

And further amend section 1, lines 15 and 16, following the word and punctuation "chiropracter," by striking the words and punctuation "clinical laboratory bioanalyst, clinical laboratory technologist,"

And as amended do pass.

That House Bill No. 220 do pass.

That House Bill No. 109 be amended in the title on page 1, line 9, following the language "control board" by striking the period "." and adding in lieu thereof the following material: "; and providing an effective date."

And as so amended, be passed for the day.

That House Bill No. 100 do pass.

That House Bill No. 59 be passed to the bottom of the board.

That House Bill No. 98 do pass.

That House Bill No. 171 do pass.

That House Bill No. 218 do pass.

That House Bill No. 166 do pass.

That the Committee rise and report.

LUNDGREN, Chairman

Lundgren moved for adoption of the Committee report.

As a substitute motion, Anderson moved that House Bill No. 166 be segregated from the Committee of the Whole report and as so amended, report be adopted. Motion failed.

Thereupon the committee report was adopted.

MOTIONS AND RESOLUTIONS

Fagg moved that House Bills Nos. 243 and 244, assigned to Committee this day, be referred to Committee on Environment and Resources. Motion carried.

Swan moved that House Bill No. 109 be taken from Second Reading and be re-referred to Committee on State Administration. Motion carried.

Harrison moved that the House adjourn until 1:30 p.m. January 19, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

SIXTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 19, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Gerke, E. Smith, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifteenth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

January 19, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills 218, 166, 171, 220, 98, 103, 100, 61.

MARKS, Chairman

January 19, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 28.

MARKS, Chairman

January 19, 1971

I have examined House Bill No. 28, introduced by me, and find the same to be correct.

FASBENDER

The Speaker signed the following bill in open session, the title having first been read: House Bill No. 28.

January 19, 1971

Mr. Speaker: We, your Committee on Legislative Administration,

recommend that Josephine S. Cope, Multilith Clerk, be removed from the payroll effective January 18, 1971.

Report adopted.

SPIILDE, Chairman

January 19, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 118, 49, 54, 127, 128, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 18, 1971

Mr. Speaker: We, your committee on Environment and Resources, having had under consideration House Bill No. 85, respectfully report as follows: That House Bill No. 85 be amended as follows:

Be amended on page 4, section 2, line 11, of the original bill, after word and punctuation "underground," by inserting the words and punctuation "this section shall not apply to irrigation waters where the waters are used up within the irrigation system and said waters are not returned to any other state waters."

be further amended on page 5, section 4, line 18, after the words and underlining "under the" by striking the word and underlining "guidance" and inserting in lieu thereof the word and underlining "supervision"

be further amended on page 9, section 6, line 8, by striking the word "shall" and inserting in lieu thereof the word "may"

be further amended on page 11, section 8, sub-section (5) following the figure [(4)] by deleting the word and figure "five (5)" and inserting in lieu thereof the word and figure "eight (8)"

(Material in brackets denotes cancelled type.)

be further amended on page 11, section 8, sub-section (5) line 20, following the letter "(c)" by striking the words "a representative of agriculture"; and inserting in lieu thereof the following words "a livestock feeder"

be further amended on page 11, section 8, following the entire sub-section (e) by adding the following sub-sections:

"(f) a representative from labor

"(g) a supervisor of a soil and water conservation district

"(h) a representative of an organization concerned with water recreation"

be further amended on page 14, section 12, line 27, after the word "it" by striking the word "may" and inserting in lieu thereof the word "shall"

be further amended on page 15, section 13, line 21, after the word and punctuation "section." by inserting the following sentence: "If such a request is filed, a hearing shall be held within a reasonable time."

be further amended on page 16, section 13, line 23, after the word and punctuation "pollution." by inserting the following sentence: "The alleged violator may petition the board for a rehearing, on the basis of new evidence, which petition the board may grant for good cause shown."

be further amended on page 20, section 16, lines 29 and 30, following the word and punctuation "confidential." by striking the words "Under no circumstance shall" and inserting in lieu thereof the word "The"

be further amended on page 21, section 16, line 1, following the word "waters" by inserting the words "shall not"

and be further amended on page 21, section 16, line 2, after the word "confidential" by striking the period "." and inserting the following punctuation and words "; except that the party supplying the information to the board may apply to the board for confidential status for the information so supplied, and the board shall determine that the disclosure of said information is in the public interest prior to the disclosure to the public of said information."

And, as so amended, do pass.

LUNDGREN, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 43, respectfully report as follows: That House Bill No. 43 do pass.

KELLER, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 82, respectfully report as follows: That House Bill No. 82 do pass.

KELLER, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 do not pass.

SCOTT, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 do pass.

SCOTT, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Livestock and Ranges, having had under consideration House Bill No. 132, respectfully report as follows: That House Bill No. 132 do pass.

SMITH, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Livestock and Ranges, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 be amended as follows:

Be amended on page 3, section 3, line 6 of the original and introduced bill, after the word "[may]" by striking the word "[shall]" and inserting in lieu thereof the word "may", and

further amended on page 4, section 4, line 4 of the original and introduced bill, after the word "[may]" by striking the word "[shall]" and inserting in lieu thereof the word "may".

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SMITH, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Livestock and Ranges, having had under consideration House Bill No. 133, respectfully report as follows: That House Bill No. 133 be amended as follows:

Be amended on page 1, line 8 of the title of the original and introduced bill, after the word "receipts" by adding the following new material "unless requested", and

further amended on page 2, section 2, line 12 of the original and introduced bill, after the word "source" by striking the period and inserting in lieu thereof the words "and shall issue receipt if requested by payer", and

further amended on page 2, section 2, lines 14 through 18 of the original and introduced bill, after the word "[office.]" on line 14 and before the word "[for]" on line 18 by deleting the material therein in its entirety.

And, as so amended, do pass.

SMITH, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Education, having had under consideration House Bill No. 237, respectfully report as follows: That House Bill No. 237 do not pass.

WARFIELD, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Education, having had under consideration House Bill No. 175, respectfully report as follows: That House Bill No. 175 do pass.

WARFIELD, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Education, having had under consideration House Joint Resolution No. 9, respectfully report as follows: That House Joint Resolution No. 9 do not pass.

WARFIELD, Chairman

Warfield moved for adoption of the committee report. As a substitute motion, Forester moved that House Joint Resolution No. 9 be given a do pass and be moved on Second Reading, and that the Ayes and Nays be spread on the Journal. Sufficient seconds arose. The substitute motion passed by the following vote:

Ayes: Aber, Anderson, Ashbjornson, Bennett, Clemow, Cox, Darrow, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Haines, Hall, Harper, Harrison, Healy, Jackson, Keller, Kendall, Knudsen, Kolstad, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Mather, J. Murphy, Nichols, Perry, Nelstead, Robbins, Schoonover, Selstad, C. M. Smith, Snortland, Sverdsten, Swan, Ulmer, Warfield, Weeding, Whitney, Wolf, Zimmer, Zody, Mr. Speaker. Total 60.

Noes: Ainsworth, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Campbell, Christiansen, Devine, Edland, Fasbender, Greely, Gunderson, Hemstad, Himsl, Hodges, Johnston, Kosena, Kvaalen, Laas, Lombardi, McKittrick, Marks, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Quilici, Scott, Shelden, Spilde, Staigmilller, Swanberg, Towe, Watt, Worden, Yardley. Total 40.

Absent or not voting: Patrick, Prevost. Total 2.

Excused: Gerke, E. B. Smith. Total 2.

January 19, 1971

Mr. Speaker: We, your committee on Agriculture and Irrigation, having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 do pass.

HEMSTAD, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 9, respectfully report as follows: That House Bill No. 9 be amended as follows:

Be amended on page 5, section 4, line 3, after the figures "(\$1,000)" by inserting the words, figures and underlining: "to and including two thousand dollars (\$2,000)", and

be further amended on page 5, section 4, line 5, after the word "than" by inserting the following material "thirty-seven (37) calendar months from the date of making, nor any contract of loan for more than two thousand dollars (\$2,000) to and including three thousand dollars (\$3,000) exclusive of charges, under which the borrower agrees to make any scheduled repayment of principal more than forty-nine (49) calendar months from the date of making, nor any contract of loan for more than three thousand dollars (\$3,000) to and including five thousand dollars (\$5,000) exclusive of charges, under which the borrower agrees to make any scheduled repayment of principal more than"

And, as so amended, do pass.

WORDEN, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your committee on Consitution, Elections and Federal Relations, having had under consideration House Bill No. 52, respectfully report as follows: That House Bill No. 52 be amended as follows:

Be amended on page 1, line 7 of the title of the original and introduced bill, before the word "and" by adding the following new material ", changing the period of residence to thirty (30) days and deleting the requirement that a voter be a taxpayer on certain issues", and

further amended on page 1, section 1, line 23 of the original and introduced bill after the word "state" by deleting the following material "[one (1) year]" and inserting in lieu thereof the following new material "thirty (30) days", and

further amended on page 1, section 1, lines 25 through 30 of the original and introduced bill, after the word "law" by striking and deleting the material therein in its entirety and inserting in lieu thereof a period, and

further amended on page 2, section 1, lines 1 through 3 of the original and introduced bill, before the word "Provided" by deleting the material therein in its entirety, and

further amended on page 2, section 1, line 3 of the original and introduced bill, after the word "Provided" by deleting the following material "[, first,]"

And, as so amended, do pass.

HAINES, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Highways, having had under

consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 do not pass.

WOLF, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Highways, having had under consideration House Bill No. 62, respectfully report as follows: That House Bill No. 62 be amended as follows:

Be amended on page 1, lines 29 and 30 after the word "expires" by striking the material therein in its entirety and inserting in lieu thereof the following material " , or if appeal is filed, to the date of final decision by the supreme court, or

and be further amended on page 2, line 12 after the word "its" and inserting the following words "highest approved"

And, as amended, do pass.

WOLF, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Highways, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 do pass.

WOLF, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Highways, having had under consideration House Bill No. 120, respectfully report as follows: That House Bill No. 120 do pass.

WOLF, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Highways, having had under consideration House Bill No. 121, respectfully report as follows: That House Bill No. 121 do pass.

WOLF, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Highways, having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 122 do pass.

WOLF, Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your committee on Highways, having had under consideration House Bill No. 161, respectfully report as follows: That House Bill No. 161 be amended as follows:

Be amended on page 1, of the title of the original and reproduced bill after the word "person" and striking the word "[over]" and

(Material in brackets denotes cancelled type.)

further amend on page 1, of the title of the original and reproduced bill after the word "age" and inserting the following words, "and older"

and be further amended on page 1, line 11 after the word "person" and striking the word "[over]"

(Material in brackets denotes cancelled type.)

and further be amended on page 1, line 12 after the word "years" and inserting the following words, "and older"

and further be amended on page 1, after line 26, by adding the following new section "Section 5. Fees not in excess of one dollar (\$1.00) for such identification cards shall be collected and credited to a revolving fund which shall be known as the Montana Highway Patrol Identification Card Fund. Such fund shall be used by the Montana Highway Patrol to defray the cost of issuing identification cards."

And, as amended, do pass.

WOLF, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

January 18, 1971

Honorable Thomas L. Judge
President of the Senate
Capitol Building
Helena, Montana 59601

Honorable James P. Lucas
Speaker of the House
Capitol Building
Helena, Montana 59601

Gentlemen:

I have this date requested introduction of legislation to create a position management and classification system to be developed by the Department of Administration, and implemented in state agencies.

I believe this system will be essential if we are to improve management procedures in state government.

The proposed bill will enable the Department of Administration to classify positions in the state service in regard to similarity of duties, responsibilities and complexity of work. It will establish similar qualifications and equitable salary levels for positions in each class.

In addition, the bill will benefit public employees by eliminating fixed percentage limitations on salary increases.

Presently, there is a five per cent limitation on salary increases for public employees. I believe this limitation has an adverse effect on the performance of state government personnel. It diminishes initiative and morale by eliminating appropriate salary increases as a reward for good performance. It subsidizes mediocrity by providing automatic increases with little regard for performance. It punishes employees in the lower salaried positions, because their standard percentage increases do not amount to much in dollars.

The proposed position management and classification system is consistent with the balanced budget program I have submitted. Department appropriations for personnel services will be established by the legislature and controlled by the Department of Administration.

Salary increases will be recommended by department heads on the basis of performance and approved by the Department of Administration.

I strongly urge passage of this bill.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

January 18, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence.

Senate Bill No. 16, introduced by Moore, et al

Senate Bill No. 81, introduced by Hibbard, et al

Senate Bill No. 4, introduced by Drake

Senate Bill No. 74, introduced by Gilfeather, et al

Senate Joint Resolution No. 1, introduced by McOmber, et al

Respectfully,

/s/ Carter N. Picotte, Asst. Sec.

WALTER H. MARSHALL
Secretary of the Senate

January 18, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence.

Senate Bill No. 53, introduced by Lynch, et al

Respectfully,

/s/ Carter N. Picotte, Asst. Sec.

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

A motion was made by Worden that House Bill No. 119 be taken from Printing and be re-referred to Committee on Business and Industry. Motion carried.

Worden moved that an extension of time be given for House Bill Nos. 83, 101, 106. Motion carried.

A motion was made by Keller that House Bill Nos. 112 and 124 be taken from Committee on Public Health, Welfare and Safety, and be re-referred to Committee on Environment and Resources. Motion carried.

Selstad moved that House Bill No. 61 be taken from Engrossing and be re-referred to Committee on Highways. Motion carried.

Harrison moved that House Bill No. 163 be taken from Third Reading and held until the School Re-codification bill is signed by the Governor. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 256, introduced by Gunderson, Kolstad, Snortland, Aspevig, Hemstad, Johnston, T. Murphy, Wolf: A bill for an act entitled: "An act to amend Section 3-1902, R.C.M., 1947, by permitting certain seeds up to a given percentage to be included in Class 2 and Class 3 mustard seed without being considered foreign material and without affecting grading." Referred to Committee on Agriculture and Irrigation.

House Bill No. 257, introduced by Giesick: A bill for an act entitled: "An act to amend Section 84-6011, R.C.M., 1947, to provide for a credit against the tax on migratory personal property for taxes paid to other states on such personal property who have reciprocal tax credit laws." Referred to Committee on Ways and Means.

House Bill No. 258, introduced by Ulmer, Scott: A bill for an act entitled: "An act to amend Section 11-2214, R.C.M., 1947, relating to the methods of payment of special improvement districts." Referred to Committee on Townships and Counties.

House Bill No. 259, introduced by Whitney, Kvaalen, Ed. Smith, Prevost, Falkenstern, Clemow, Aspevig, Weeding: A bill for an act entitled: "An act to provide for licensing of livestock dealers and establishing the procedure, rules, and regulations therefor." Referred to Committee on Livestock and Ranges.

House Bill No. 260, introduced by Knudsen: A bill for an act entitled: "An act authorizing the Fish and Game Commission to regulate the use, by archers, of livestock and vehicles during special archery seasons." Referred to Committee on Fish and Game.

House Bill No. 261, introduced by Swanberg, Himsl, Fasbender, Christiansen, Greeley, Bardanouve, Gunderson, Ulmer, Harrison, Parrish, Lien: A bill for an act entitled: "An act to subject corporations to an income tax if they are not subject to the corporation license tax." Referred to Committee on Ways and Means.

House Bill No. 262, introduced by Nichols, Fasbender, T. Murphy, Kolstad: A bill for an act entitled: "An act to amend and add new sections to the Montana Milk Control Law; amending Section 27-403, R.C.M., 1947, relating to definitions, by adding definitions thereto; amending Section 27-406, R.C.M., 1947, relating to markets, by removing the requirement there be at least five natural marketing areas in the state; amending Section 27-407, relating to minimum prices, to provide for flexible price formulas and to specify how base plans may be established and under what circumstances area-wide or state-wide pooling arrangements may be adopted; amending Sections 27-408, 27-409, and 27-410, relating to licensing, to include jobbers and imported milk within the jurisdiction of the Milk Control Board; amending Section 27-411, R.C.M., 1947, to provide that civil penalties may be assessed by the Milk Control Board in lieu of suspension or revocation of license; repealing Section 27-427, R.C.M., 1947, relating to local advisory boards; adding new sections to provide a time limitation on credit which may be extended to retailers and to prohibit financing of producers and retailers by distributors; providing for severability if any part of this act is determined unconstitutional; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Agriculture and Irrigation.

House Bill No. 263, introduced by Nichols, Fasbender, T. Murphy, Kolstad: A bill for an act entitled: "An act declaring the public policy of this state relating to unfair, unjust, destructive and demoralizing trade practices in the marketing and distribution of dairy products; prohibiting processors and distributors of dairy products from furnishing money, equipment, furniture and fixtures to retailers and consumers; providing certain limited exceptions; providing for termination of existing arrangements; designating violations of this act a misdemeanor and designating penalties upon conviction; providing that violations hereof constitute a

nuisance which may be enjoined and providing treble damages in addition to injunctive relief; providing for severability if any part of this act is determined unconstitutional; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Agriculture and Irrigation.

House Bill No. 264, introduced by Harper, Menahan, Quilici, Lynch, Brand, Lee, Towe: A bill for an act entitled: "An act relating to the teaching profession, recognizing the right of professional educators to bargain collectively; providing that the Department of Labor and Industry may designate employee organizations to be the exclusive representative of employees in certain units; and may also call elections by employees for the same purpose; providing the Department of Labor and Industry shall establish remedies for unfair labor practices; and providing procedures for carrying out the act." Referred to Committee on Education.

House Bill No. 265, introduced by Darrow, Jackson, Weeding, Bardanouve, Campbell, Cox, Robbins, Keller, Anderson, Warfield, Asbjornson: A bill for an act entitled: "An act relating to management and regulation of the floodways of watercourses as prescribed; to define terms; to provide for certain duties and powers of the Montana Water Resources Board as prescribed; to provide for a floodway obstruction removal fund; to declare certain acts unlawful; and to provide for penalties." Referred to Committee on Environment and Resources.

House Bill No. 266, introduced by Lanthorn: A bill for an act entitled: "An act amending Section 75-5206, R.C.M., 1947, to provide that the Montana Law Enforcement Academy Advisory Board select and hire such staff as it deems necessary to implement the Montana Law Enforcement Academy Act." Referred to Committee on Judiciary.

House Bill No. 267, introduced by Knudsen, Harrison, Lund, Nichols, Bardanouve, Lucas, Ulmer, Cox, Edland, Snortland, Kolstad, Robbins, Darrow, Forester, Glennen, Fagg, Hall, Healy, Gunderson, Worden, Towe: A bill for an act entitled: "An act relating to the classification of property for taxation; providing a basis for the imposition of taxes; amending Sections 84-301 and 84-302, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 268, introduced by Parrish, Zimmer, Marbut, Greely: A bill for an act entitled: "An act to amend Sections 64-301, 64-302, and 64-303, R.C.M., 1947, to include age as a civil right; to include the State of Montana as "every person" prohibited from discriminating and to avoid conflict with other Montana statutes." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 269, introduced by Knudsen: A bill for an act entitled: "An act to provide that an agisters' lien or liens for services for repair of motor vehicles shall not take precedence over perfected security interests under the uniform commercial code—secured transactions, or other recorded liens on the property involved, unless written notice of the intent to assent the lien is given to the secured party within thirty (30) days instead of ten (10) days of receiving the property; amending Section 45-1106, R.C.M., 1947." Referred to Committee on Judiciary.

House Bill No. 270, introduced by Knudsen: A bill for an act entitled: "An act to amend Section 53-1002 and 53-1003, R.C.M., 1947, to provide for registration or snowmobiles with the State Board of Equalization and setting a registration fee." Referred to Committee on Highways.

House Bill No. 271, introduced by Knudsen: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, to include snowmobiles in class five for purposes of taxation." Referred to Committee on Ways and Means.

House Bill No. 272, introduced by Warfield, Christiansen: A bill for an act entitled: "An act to repeal the taxpayer qualification of electors

voting at school elections for issuing school district bonds, additional levy for general fund, consolidation or annexation with assumption of bonded indebtedness, and building reserve fund authorization; to repeal the taxpayer qualification of petitioners for elementary district territory transfer; amending Sections 75-6410, 75-6412, 75-6414, 75-6509, 75-6516, 75-6923, 75-7112, 75-7113, 75-7114, 75-7117, 75-7134, and 75-7205, R.C.M., 1947; repealing Section 75-6411, R.C.M., 1947, and providing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 273, introduced by Gunderson, Norman, Zimmer, Parrish, Keller, Swanberg, Selstad: A bill for an act entitled: "An act to amend Sections 66-1012, 66-1013, 66-1023, 66-1025, 66-1028, 66-1029, 66-1030, R.C.M., 1947, of the medical practice act providing for the issuance of physician's certificates to doctors of osteopathy, altering the composition of the Board of Medical Examiners to include one doctor of osteopathy, prohibiting discrimination against doctors of osteopathy licensed hereunder, expanding the definition of approved medical schools, internships and residencies to include schools accredited by the American Osteopathic Association and internships and residencies approved by the American Osteopathic Association." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 274, introduced by Brand: A bill for an act entitled: "An act amending Sections 80-1402, 80-1404, and 80-1409, R.C.M., 1947, to transfer the powers and duties of the State Board of Institutions to the State Board of Examiners and to abolish the State Board of Institutions and repealing Sections 80-1407 and 80-1408, R.C.M., 1947." Referred to Committee on State Administration.

House Bill No. 275, introduced by Harrison: A bill for an act entitled: "An act to provide for holiday observance by public employees when a holiday falls on the employee's day off." Referred to Committee on State Administration.

House Bill No. 276, introduced by Hodges, Staigmler, Zimmer: A bill for an act entitled: "An act to amend Section 87-149, R.C.M., 1947, which section is a part of the unemployment compensation law, by defining 'better employment'; deleting language no longer applicable." Referred to Committee on Labor and Compensation.

House Bill No. 277, introduced by Burnett: A bill for an act entitled: "An act to amend Section 4-108, R.C.M., 1947, providing salaries of state liquor employees." Referred to Committee on State Administration.

House Bill No. 278, introduced by Schoonover, Jackson, Kendall, Clemow, Staigmler, Fleming: A bill for an act entitled: "An act pertaining to registration and use of snowmobiles; providing penalties; and repealing Sections 53-1001 through 53-1011, R.C.M., 1947." Referred to Committee on Highways.

House Bill No. 279, introduced by McKittrick, Swanberg, Hodges, Harper, Staigmler, Hall, Devine: A bill for an act entitled: "An act increasing jurors' and witnesses' fees in state district courts and courts not of record in the State of Montana by amending Sections 25-401, 25-403, 25-404, 25-409, 25-410, R.C.M., 1947." Referred to Committee on Judiciary.

House Bill No. 280, introduced by Brand: A bill for an act entitled: "An act amending Section 53-106.7, R.C.M., 1947, by providing that a fee of two dollars (\$2.00) shall be collected for each set of National Guard license plates." Referred to Committee on Highways.

House Bill No. 281, introduced by Brand: A bill for an act entitled: "An act repealing Sections 53-1001, 53-1002, 53-1003, 53-1004, 53-1005, 53-1006, 53-1007, 53-1008, 53-1009, 53-1010, and 53-1011, R.C.M., 1947, relating to registration and licensing of snowmobiles." Referred to Committee on Highways.

House Bill No. 282, introduced by Brand: A bill for an act entitled: "An act amending Section 53-109, R.C.M., 1947, relating to transfer of title or interest to or in a motor vehicle; creating new sections of the Revised Codes of Montana, 1947, designated as Sections 53-109.1, 53-109.2 and 53-109.3; providing for the issuance of a temporary windshield sticker upon the transfer of a motor vehicle; and repealing Sections 53-134 and 53-135, R.C.M., 1947." Referred to Committee on Highways.

House Bill No. 283, introduced by Lee, Mehrens, Harper, Cox, Lombardi, Menahan, Quilici, Marbut, Olson, Fagg, Ainsworth, Burnett, Campbell, Healy, Brown, Perry, Baeth, T. Murphy, Haines, Lynch: A bill for an act entitled: "An act relating to motion picture theater employees and obscene motion pictures." Referred to Committee on Judiciary.

Senate Bill No. 4, introduced by Drake: A bill for an act entitled: "An act to amend Section 13-903, R.C.M., 1947, to provide for the rescission of contracts by buyers from 'door-to-door' salesmen." Referred to Committee on Judiciary.

Senate Bill No. 16, introduced by Moore, Lynch, Drake, Turnage: A bill for an act entitled: "An act to amend Sections 91-5301, 91-5304, 91-5305, 91-5308, and 91-5310, R.C.M., 1947, relating to proceedings in lieu of probate." Referred to Committee on Judiciary.

Senate Bill No. 74, introduced by Gilfeather, Hafferman, Bertsche, Turnage, Moore, Sorensen, Rosell, Sheehy: A bill for an act entitled: "An act relating to freedom from discrimination for women as a civil right in employment and public accommodations; amending Sections 64-301, 64-302, and 64-303, R.C.M., 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 81, introduced by Hibbard, Drake, Hazelbaker, McOmber, Flynn, Groff: A bill for an act entitled: "An act to amend Section 89-1811, R.C.M., 1947, to authorize the County Treasurer to pay to an irrigation district certain funds collected on behalf of the district for reserve fund purposes and for the United States contract fund." Referred to Committee on Townships and Counties.

Senate Bill No. 53, introduced by Lynch, Sheehy, Turnage, Reardon, McKeon, Moore: A bill for an act entitled: "An act to amend Section 41-1605, R.C.M., 1947, regarding the duties of the Department of Labor and Industry." Referred to Committee on State Administration.

Senate Joint Resolution No. 1, introduced by McOmber, Hazelbaker, Rugg, Hafferman, and Goodheart. A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Secretary of Health, Education and Welfare and to the Commissioner of Social Security asking that the Secretary of Health, Education and Welfare forestall enforcement of regulations promulgated by the Department of Health, Education and Welfare requiring automatic sprinkling systems in certain hospitals and extended care facilities for a period of two (2) years from January 31, 1971, and further urge the Secretary of Health, Education and Welfare to review, reconsider and revise said regulations to permit the use of alternative fire protection devices.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 5 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Fal-

kenstern, Fasbender, Fitzgarraird, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Haines. Total 1.

Paired: Haines, no; E. Smith, aye.

Absent or not voting: Dye, Lundgren. Total 2.

Excused: Gerke. Total 1.

House Bill No. 29 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarraird, Fleming, Forester, Giesick, Glennen, Greely, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Brand, Fasbender, Gunderson, Hall, Perry. Total 5.

Absent or not voting: None.

Excused: Gerke, E. Smith. Total 2.

House Bill No. 30 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarraird, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Bardanouve, Brand, Fasbender, Prevost, Schoonover. Total 5.

Absent or not voting: None.

Excused: Gerke, E. Smith. Total 2.

House Bill No. 60 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,

Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 99.

Noes: Hall, Zimmer. Total 2.

Absent or not voting: Haines. Total 1.

Excused: Gerke, E. Smith. Total 2.

House Bill No. 67 was passed by the following vote:

Ayes: Aber, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Parrish, Patrick, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmilller, Sverdsten, Swanberg, Towe, Watt, Weeding, Worden, Yardley, Zody. Total 73.

Noes: Ainsworth, Anderson, Aspevig, Burnett, Campbell, Cox, East, Giesick, Glennen, Jackson, Lockrem, Lundgren, McNamer, Mather, Norman, Perry, Nelstead, Selstad, C. Smith, Snortland, Spilde, Swan, Ulmer, Warfield, Whitney, Wolf, Zimmer, Mr. Speaker. Total 28.

Absent or not voting: Haines. Total 1.

Excused: Gerke, E. Smith. Total 2.

House Bill No. 76 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: Burnett, Giesick. Total 2.

Absent or not voting: Aber. Total 1.

Excused: Gerke, E. Smith. Total 2.

House Bill No. 113 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,

Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrauld, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: None.

Excused: Gerke, E. Smith. Total 2.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Mather that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading of Bills. Motion carried.

Keller in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 59 be amended in Section 1 by striking out in line 8, page 2 of the Highway Committee approved bill by striking the words "state and" and inserting the words and punctuation, underlined, "-aid" after the word "federal".

And, as so amended, do pass.

That House Bill No. 54 do pass.

That House Bill No. 127 be amended in the title by striking out in line 9, page 1, the "." and inserting in lieu thereof "and providing an effective date."

And, as so amended, do pass.

That House Bill No. 128 be amended in the title by striking out in line 10, page 1, the "." and inserting in lieu thereof the following: "and providing an effective date."

And, as so amended, do pass.

That House Bill No. 49 do not pass.

That House Bill No. 118 be amended in the title, page 1, line 8 of the original bill by striking the following words "fix and"

and further amend in Section 10, line 20, by striking the words "fix and"

And, as so amended, do pass.

That House Joint Resolution No. 7 do pass.

That the Committee rise and report.

KELLER, Chairman

Keller moved for adoption of the Committee of the Whole report.

As a substitute motion, Fasbender moved that House Bill No. 49 be segregated from the Committee of the Whole report, and, as so amended, the report be adopted. He asked for a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion passed by the following vote:

Ayes: Aber, Anderson, Baeth, Bennett, Bradley, Brand, Brown, Christiansen, Edland, Fasbender, Fleming, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Kendall, Kolstad, Kosena, Laas, Lee, Lombardi, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staig-miller, Swanberg, Towe, Ulmer, Watt, Worden, Yardley, Zimmer, Mr. Speaker. Total 47.

Noes: Ainsworth, Asbjornson, Aspevig, Burnett, Clemow, Cox, Dar-row, Devine, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Haines, Hemstad, Jackson, Johnston, Keller, Knudsen, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lundgren, Lynch, McNamer, Marks, Mather, J. Murphy, Olson, Perry, Nelstead, Scott, Selstad, C. Smith, Snort-land, Spilde, Sverdsten, Swan, Weeding, Whitney, Wolf. Total 45.

Absent or not voting: Bardanouve, Campbell, Dye, East, Glennen, Lund, Nichols, Patrick, Warfield, Zody. Total 10.

Excused: Gerke, E. Smith. Total 2.

MOTIONS AND RESOLUTIONS

Swan moved that House Bill No. 253 be moved to Committee on State Administration from Committee on Public Health, Welfare and Safety. Motion carried.

Swan moved that House Bill No. 277 be taken from Committee on State Administration and be re-referred to Committee on Business and Industry. Motion carried.

Harrison moved that the House adjourn until 1:30 p.m., January 20, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

SEVENTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 20, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Cox, Gerke, E. Smith, Ulmer, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Sixteenth Legislative Day, find the same to be correct.

HARRISON, Chairman

REPORTS OF STANDING COMMITTEES

January 20, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 161, 134, 62, 52, 9, 133, 85, 43, 70, 82, 120, 121, 122, 132, 175, 224, 228, and House Joint Resolution No. 9, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 20, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill 54, 59, 118, 127, 128, and House Joint Resolution No. 7.

MARKS, Chairman

January 20, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be added to the payroll as Proofreaders, effective January 20, 1971.

June C. Easton
Debra J. Olsen
Mary A. Diette

And further recommend that Lewis Stahl, Page, be removed from the payroll effective January 19, 1971.

SPILDE, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 173, respectfully report as follows: That House Bill No. 173 do pass.

SCOTT, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 162, respectfully report as follows: That House Bill No. 162 be amended on page 1, in the title, of the original and reproduced bill on line 10 after the word "administrators" by striking the following words "providing an effective date" and inserting in lieu thereof the following new material "; defining nursing homes to include extended care facilities and intermediate care facilities, and defining the term inactive nursing home administrator; clarifying who may be appointed to the board; providing for qualification and registration of licenses; providing for inactive nursing home administrators to pay an annual fee of twenty-five dollars (\$25.00); requiring nursing home administrators and inactive nursing home administrators to complete a continuing education course prior to renewal of registration or license; providing for a penalty of up to five hundred dollars (\$500.00) fine or imprisonment up to six month or both" and

further be amended on page 2, section 1 of the original and duplicate bill following line 5 by adding a new subsection to read as follows: "(d) The term "inactive nursing home administrator" means an individual who has been licensed in this state as a nursing home administrator, and whose license has not been revoked or suspended but who is not actively engaged in nursing home administration.", and

Be further amended on page 6, section 5, subsection (c), line 3 of the original and reproduced bill, after the word "as" by striking the word "a" and inserting in lieu thereof the words "an inactive", and

be further amended on page 6, section 5, subsection (c), line 5 of the original and reproduced bill, before the word "registration", by striking the word "A" and inserting in lieu thereof the words "An inactive", and

be further amended on page 6, section 5, subsection (c), line 7 of the original and reproduced bill, after the word "the" by inserting the word "inactive", and

as so amended, do pass.

Report adopted.

KELLER, Chairman

January 20, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and safety, having had under consideration House Bill No. 51, respectfully report as follows: That House Bill No. 51 do not pass.

Report adopted.

KELLER, Chairman

January 20, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 do not pass.

Report adopted.

WHITNEY, Vice Chairman

January 20, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 do pass.

Report adopted.

WHITNEY, Vice Chairman

January 20, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 6, respectfully report as follows: That House Joint Resolution No. 6 be amended on page 1, in the title of the original and reproduced copy, line 13, after the word "hatchery" by deleting the words "at Murry Springs".

be further amended on page 2, line 4, after the word "operated" by striking the words and punctuation "at Murry Springs", and inserting in lieu thereof the word "in".

and, as so amended, do pass.

Report adopted.

WHITNEY, Vice Chairman

January 20, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 213, respectfully report as follows: That House Bill No. 213 do pass.

Report adopted.

HAINES, Chairman

January 20, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 214, respectfully report as follows: That House Bill No. 214 be amended on page 1, section 1, line 25 of the original and introduced bill, following the word "election" by striking the period "." and inserting in lieu thereof the following new material " provided that said elector shall execute a sworn affidavit qualifying him under this section, to be filed in the office of his registration. County registrar shall provide to the person register-

ing under the provisions of this section, a certificate stating the precinct in which he is entitled to vote which shall be presented to the election judges of that precinct at the time of voting."

and, as so amended, do pass.

HAINES, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 do pass.

HAINES, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 216, respectfully report as follows: That House Bill No. 216 do pass.

HAINES, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 do pass.

HAINES, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 185, respectfully report as follows: That House Bill No. 185 do pass.

EAST, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do pass.

EAST, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Joint Resolution No. 4, respectfully report as follows: That House Joint Resolution No. 4 do pass.

CAMPBELL, Vice Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 72, respectfully report as follows: That House Bill No. 72 do pass.

CAMPBELL, Vice Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 135, respectfully report as follows: That House Bill No. 135 do not pass.

CAMPBELL, Vice Chairman

Report adopted.

January 19, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 be amended on page 2, section 3, line 12 through and including line 18 of the original and introduced bill after the word "commission" by deleting the material therein in its entirety and inserting in lieu thereof a period, and

be further amended on page 3, following section 6, line 26 of the original and introduced bill by adding the following new section "Section 7. The provisions of this act shall not be applicable to any motor vehicle used in service of the Governor, the Attorney General or the Highway Patrol."

And further amend subsequent sections to conform numerically, and as so amended, do pass.

SWAN, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 84, respectfully report as follows: That House Bill No. 84 do pass.

ULMER, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 107, respectfully report as follows: That House Bill No. 107 do pass.

ULMER, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 do not pass.

ULMER, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 be amended on page 3, section 1, subsection (b), line 16 of the original and introduced bill, after the figure and punctuation "1," by deleting the figures "[1972]", and inserting in lieu thereof the following figures "1973"

and be placed on Second Reading without recommendation.

ULMER, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 2, respectfully report as follows: That House Resolution No. 2 be adopted.

WORDEN, Chairman

HOUSE RESOLUTION NO. 2

Introduced by Brand, Laas, Kolstad, Lombardi, Harper, Snortland, Robbins, Bradley, Lee, Aspevig, Zimmer, Devine, Greely, McKittrick, Staig-miller, Gunderson, Hodges, Schoonover, Swanberg, Lien, T. Murphy, Kendall, Fleming, Zody, Weeding, Eggebrecht, Prevost, Quilici, Healy, Mehrens,

Kosena, Menahan, East, Ainsworth, Worden, Campbell, Lund, Warfield, Wolf, Lundgren, Johnston, Yardley.

A Resolution of the House of Representatives of the State of Montana urging that existing passenger train service through the State of Montana in an east-west direction and daily passenger train service to the State of Montana in a north-south direction be included in the Basic National Rail Passenger System.

WHEREAS, the Congress of the United States by Public Law 91-518 has proposed a complete revamping of the National Rail Passenger System and by such law has instructed the Secretary of Transportation to issue a preliminary report outlining future rail passenger routes and such preliminary report having been published outlining, among other things, as "End Points" the municipalities of Chicago, Illinois, and Seattle, Washington, and proposing that all rail passenger service within the State of Montana be discontinued in its entirety and further proposing that such traffic between the respective points proceed via Omaha, Nebraska, and Green River, Wyoming; and

WHEREAS, at the present time, the State of Montana enjoys the service of eight (8) east-west passenger trains passing through the state daily; four (4) in an easterly direction and four (4) in a westerly direction; and north-south passenger train service three (3) times a week; and

WHEREAS, the State of Montana is six hundred (600) miles in length in an east-west direction and approximately four hundred (400) miles in length in a north-south direction; and

WHEREAS, at the present time, the State of Montana has passenger train service to thirty (30) counties with a population of over four hundred forty-two thousand (442,000), with nearly two hundred (200) smaller communities completely dependent upon rail transportation because no air service, bus service or other public transportation exists; and the present routing provides through rail connections with entrances to Glacier National Park and constitutes the fastest, most direct route between Chicago and Seattle; and

WHEREAS, at the present time, both the northern portion and the southern portion of the state have passenger train service.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the House of Representatives of the State of Montana recognizes that the public interest and convenience of the citizens of this state requires that existing passenger train service be maintained through the State of Montana in an east-west direction and daily passenger train service be provided to the State of Montana in a north-south direction.

BE IT FURTHER RESOLVED, that the House of Representatives of the State of Montana urges the Department of Transportation to continue existing passenger train service through the State of Montana in an east-west direction and to provide daily passenger train service to the State of Montana in a north-south direction in the Basic National Rail Passenger System.

BE IT FURTHER RESOLVED, that the Secretary of the State be instructed to send copies of this resolution to the Department of Transportation, John Volpe, Secretary of Transportation, The Honorable Warren G. Magnuson, Chairman of the Senate Interstate and Foreign Affairs Committee, the Honorable Harley O. Staggers, Chairman of the House Interstate and Foreign Commerce Committee, The Honorable Mike Mansfield and The Honorable Lee Metcalf, Senators from the State of Montana, The Honorable John Melcher and The Honorable Richard Shoup, Congressmen from the State of Montana, and to each officer of the corporation

formed to administer the Basic National Rail Passenger System after such corporation is formed.

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 129, respectfully report as follows: That House Bill No. 129 do pass.

WORDEN, Chairman

Report adopted.

January 20, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do not pass.

WORDEN, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that House Bills Nos. 166, 171, 218, 220 be removed from Third Reading and held until School Law Bill has been signed by the Governor. Motion carried.

Falkenstern moved that House Bill No. 254 be removed from Committee on Townships and Counties and placed in Committee on Ways and Means. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 284, introduced by Lynch, Cox, Gunderson, Forester, Staigmilller, Glennen, Warfield, Healy, Harper: A bill for an act entitled: "An act relating to the School Foundation Program; providing for changes in financial schedules for the maximum-general-fund budget-without-a-voted-levy for districts and county high schools; amending Section 75-6905, R.C.M., 1947; and providing an effective date." Referred to Committee on Education.

House Bill No. 285, introduced by Hall: A bill for an act entitled: "An act to amend Section 11-1829, R.C.M., 1947, to permit the Board of Trustees to invest in certificates of deposit." Referred to Committee on Education.

House Bill No. 286, introduced by Watt, Swanberg, Fasbender, Christiansen, Bardanouve, Knudsen, Haines: A bill for an act entitled: "An act relating to the Long-Range Building Program; increasing the maximum amount of bonds which may be issued for the program and eliminating the maximum interest rate thereon; clarifying the definition of the Special Tobacco Products Tax pledged and appropriated to the Sinking Fund Account for the payment of such bonds; levying and providing for the collection of an additional excise tax upon cigarettes sold or possessed in Montana, and appropriating additional collections of cigarette excise taxes to the Long-Range Building Program Account in the Sinking Fund and in the Bond and Insurance Clearance Fund; amending Sections 79-2202, 79-2203, 79-2205, 84-5606 and 84-5606.30, R.C.M., 1947, and providing an effective date." Referred to Committee on Long-Range Building.

House Bill No. 287, introduced by Christiansen, Norman, Fasbender, Hall: A bill for an act entitled: "An act to amend Section 84-1501, R.C.M., 1947, and to provide that the temporary corporation license tax of six

and one-quarter percent (6¼ %) of net income be increased to seven percent (7%) and made permanent." Referred to Committee on Ways and Means.

House Bill No. 288, introduced by Fasbender, Bardanouve, Christiansen, Hall: A bill for an act entitled: "An act relating to Montana income tax; eliminating federal income tax as a deduction in computing net income; replacing exemptions now allowed as deductions in computing taxable income with personal tax credit to be deducted from the tax after computation; and repealing the surtax; amending Sections 84-4901, 84-4902, 84-4906, 84-4910, 84-4915, R.C.M., 1947, and repealing Section 84-4902.1, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 289, introduced by Schoonover, Watt, Marbut, Parrish: A bill for an act entitled: "An act to permit seventh and eighth grade pupils of elementary schools to be counted separately for budget and foundation program purposes under certain conditions, and providing an effective date." Referred to Committee on Education.

House Bill No. 290, introduced by Mehrens, Lee, Menahan, Quilici, Kosen, Lynch, Harper, Lombardi, Staigmill, Laas, Healy, Perry, McGrath: A bill for an act entitled: "An act to amend Section 84-4910, R.C.M., 1947, to increase the allowance for personal exemption from income taxation." Referred to Committee on Ways and Means.

House Bill No. 291, introduced by Schoonover: A bill for an act entitled: "An act providing for the licensing of commercial driving schools by the Highway Patrol Board; requiring the Highway Patrol Board to adopt regulations governing such commercial driving schools; providing for hearings by the Highway Patrol Board; and providing a penalty." Referred to Committee on Highways.

House Bill No. 292, introduced by Fagg, Keller: A bill for an act entitled: "An act to amend Section 75-5933, R.C.M., 1947; providing that "duties of trustees" may require immunizations as a prerequisite for school entrance." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 293, introduced by Greely, Dye: A bill for an act entitled: "An act supplementing Title 82, Chapter 39, R.C.M., 1947, by establishing the Division of Communications and Records with the office of the Attorney General and abolishing the Montana Law Enforcement Teletypewriter Communications Commission, and providing for the repeal of Sections 82-3901 through 82-3906, R.C.M., 1947." Referred to Committee on State Administration.

House Bill No. 294, introduced by Lynch, Mehrens, Lee, Menahan, Perry, Healy, Harper, Lombardi, Brand, Knudsen: A bill for an act entitled: "An act amending Section 19-107, R.C.M., 1947, relating to legal holidays and business days to provide that Good Friday shall be a legal holiday and that if a legal holiday falls on a Saturday, the preceding Friday is a holiday." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 295, introduced by Mather, Glennen, Forester, Quilici, E. Smith, Giesick, Cox, Robbins, Healy, Lanthorn, Patrick, McKittrick, Mehrens, Marbut, Kosen, Harper, Lombardi, Lee, Lynch, Perry, Towe, Greely, Menahan, Brand, Lucas, Worden: A bill for an act entitled: "An act to provide that an active police officer shall pass to reserve list after twenty-five (25) years service, or at age sixty (60) years; to provide that reserve officer shall receive one-half (½) of the salary he was receiving during the month before he retired and to provide for an increase in widow or dependents benefits due to cost of living increase; to provide for a tax levy for the fund not to exceed two (2) mills; to provide for a contribution to the reserve officers funds of four per centum (4%) of the monthly compensation of each active police officer; to provide for

appointment of fund trustees; to provide for investment by the board of trustees of the reserve officers funds in time and savings certificates in banks and savings and loan associations; amending Sections 11-1818, 11-1821, 11-1823, 11-1828, 11-1829, R.C.M., 1947, and to add a new section to provide that all payments to reserve officers or dependents are not subject to tax or levy or execution." Referred to Committee on Affairs of Cities.

House Bill No. 296, introduced by Jackson, Forester, Warfield, Parrish, Schoonover, Clemow, Shelden, Knudsen, Marks, Fasbender: A bill for an act entitled: "An act amending Section 75-6319, R.C.M., 1947, to increase from four hundred dollars (\$400) to five hundred dollars (\$500) the amount paid per pupil attending high school in Twin Bridges from the Montana Children's Center by the Superintendent of Public Instruction." Referred to Committee on Education.

House Bill No. 297, introduced by Dye, Lockwood: A bill for an act entitled: "An act amending Section 26-221, R.C.M., 1947, authorizing the Montana Fish and Game Commission to incur the cost of furnishing license agents corporate surety bonds in an amount equal to licenses received." Referred to Committee on Fish and Game.

House Bill No. 298, introduced by Reapportionment Committee: A bill for an act entitled: "An act to amend Section 23-3101, R.C.M., 1947, relating to the establishment of precinct boundaries and providing maps of precinct boundaries." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 299, introduced by Wolf, Dye: A bill for an act entitled: "An act to amend Section 32-1127, R.C.M., 1947, defining vehicles, combination of vehicles, loads, objects or any other things for special permits in excess of statutory limits, providing conditions for issuing such special permits, establishing fees and providing exemptions and providing a penalty." Referred to Committee on Highways.

House Bill No. 300, introduced by Burnett: A bill for an act entitled: "An act to provide for the recovery of all costs of collection and reasonable attorney fees in the discretion of the court in cases in which less than the sum of five hundred dollars (\$500) has been extended by credit or loan on a written contract." Referred to Committee on Judiciary.

House Bill No. 301, introduced by Burnett: A bill for an act entitled: "An act establishing a state personnel department to administer a personnel system for the recruiting, examination, classification, compensation and dismissal of state employees; providing for inclusion within the system of all state employees except for certain exemptions; providing for the appointment, organization and compensation of a state personnel board and defining its powers and duties; providing for the appointment of a State Personnel Director and defining his powers and duties; amending Sections 1-203, 3-105, 4-112, 4-225, 26-107, 28-302, 31-105, 32-2502, 40-2704, 43-711, 46-208, 53-101, 60-125, 69-4109, 70-118, 71-203, 71-209, 71-210, 71-217, 75-2703, 82-108, 82-1519, 82-3101, 82-3605, 84-705, 87-123, and 89-103, Revised Codes of Montana, 1947, and repealing Sections 4-108, 25-504, 26-108, 26-116, 44-409, 46-704, 79-804, 92-114 and 92-115, Revised Codes of Montana, 1947, and all other acts or parts of acts in conflict herewith; and providing an effective date for changes to existing statutes." Referred to Committee on State Administration.

House Bill No. 302, introduced by Himsl, Marbut, Yardley, Patrick, Brown: A bill for an act entitled: "An act amending Chapter 49, Title 84, R.C.M., 1947, to provide for the imposition of a Montana income tax which is equal to twenty percent (20%) of the federal income tax payable on Montana taxable income; repealing Sections 84-4901, 84-4902, 84-4903, 84-4905, 84-4906, 84-4908, 84-4909, 84-4910, 84-4912, 84-4914, 84-4915 and 84-4917, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 303, introduced by Bardanouve: A bill for an act en-

titled: "An act to amend Sections 43-1101 and 43-1106, R.C.M., 1947, relating to the Legislative Fiscal Review Committee." Referred to Committee on State Administration.

House Bill No. 304, introduced by Weeding, Schoonover, Brown, Olson: A bill for an act entitled: "An act amending Section 69-5509, R.C.M., 1947, to provide for lifeguards at all swimming pools during hours of operation." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 305, introduced by Fasbender, Ulmer, Bardanouve, Devine, Towe: A bill for an act entitled: "An act amending Section 69-3923, R.C.M., 1947, by providing that air pollution facilities, machinery or equipment shall be classified as class 7 property for purposes of taxation for a period not to exceed three years; by providing a method for applying for such classification; and providing for the withdrawal of such classification upon noncompliance with the provisions of the Clean Air Act of Montana." Referred to Committee on Ways and Means.

House Bill No. 306, introduced by Lockwood, Bardanouve, Ellerd: A bill for an act entitled: "An act to provide for maintenance of State Fire Marshal's office; and amending Section 82-1231, R.C.M., 1947." Referred to Committee on State Administration.

House Bill No. 307, introduced by Marbut, Zody, Haines, Olson: A bill for an act entitled: "An act providing protective services for the mentally retarded." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 308, introduced by Marbut, Zody, Haines, Olson, Bardanouve: A bill for an act entitled: "An act to establish a Division of Mental Retardation within the Department of Institutions; providing that the Boulder River School and Hospital is within the Division of Mental Retardation; providing that the Eastmont Training Center is within the Division of Mental Retardation; providing that the Superintendent of Boulder River School and Hospital is the supervisor of the Division of Mental Retardation; prescribing the location and function of the Boulder River School and Hospital; prescribing the function of the superintendent of the Boulder River School and Hospital; defining mental retardation; setting forth the functions of the Division of Mental Retardation and providing for effective date. Repealing Sections 80-2301 and 80-2302." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 309, introduced by Marbut, Zody, Norman, E. Smith: A bill for an act entitled: "An act authorizing the Department of Institutions to purchase services in local communities for mentally retarded persons; providing for non-profit corporate boards to administer such programs locally; providing for the allocation of appropriated monies; providing for approval of programs; providing for the administration by the Department of Institutions." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 310, introduced by Marbut, Zody, Bardanouve: A bill for an act entitled: "An act relating to the Interstate Compact on Mental Health authorizing the State of Montana to enter into a compact with any of the United States, its territories and possessions, for the treatment of mentally ill and mentally deficient; providing for a "compact administrator"; and providing effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 311, introduced by Marbut, Zody, Norman, Olson, Haines: A bill for an act entitled: "An act to amend Section 75-7805, R.C.M., 1947, to establish mandatory special education classes for trainable mentally retarded children." Referred to Committee on Education.

House Bill No. 312, introduced by Marbut: A bill for an act entitled: "An act to amend Sections 75-7801 and 75-7803, R.C.M., 1947, to include the educationally handicapped child in those requiring special education

and providing for the development of a program for the educationally handicapped by the Superintendent of Public Instruction." Referred to Committee on Education.

House Bill No. 313, introduced by Marbut, Zody, Norman, Olson, Bardanoue, Haines: A bill for an act entitled: "An act to provide for the continuation of coverage under individual and group health insurance and hospital and medical service plan contracts for mentally retarded or physically handicapped dependent children; amending Chapter 37, Title 40, R.C.M., 1947." Referred to Committee on Business and Industry.

House Bill No. 314, introduced by Marbut, Zody, Norman: A bill for an act entitled: "An act to provide that per diem charges shall not be assessed to or collected from any parent or other person responsible for the support and maintenance of a resident of the Boulder River School and Hospital or the Eastmont Training Center after the resident reaches his 21st birthday or after he is a resident of any state institution or institutions by reason of mental retardation for fifteen (15) years, whichever occurs first; amending Section 80-1603, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 315, introduced by East, by request: A bill for an act entitled "An act to amend Section 87-106, R.C.M., 1947, which section is a part of the Unemployment Compensation Law, by deleting chargeback matters provided for in another section; providing for the payment of benefits to an individual taking approved training in conformity with Public Law 91-373, Employment Security Amendments of 1970; eliminating the denial or benefits by reason of cancellation of wage credits by repealing Sections 87-106 (g) and (j) in conformity with Public Law 91-373, Employment Security Amendment of 1970." Referred to Committee on Labor and Compensation.

House Bill No. 316, introduced by Darrow, Warfield, Ainsworth, Bardanoue, Johnston, Anderson, Haines, Falkenstern, Dye, Jackson: A bill for an act entitled: "An act requiring prospectors, miners or other persons in this state to advise the owner of the land surface in advance of any operations which will disturb the surface of such land and obtain authorization to operate thereon." Referred to Committee on Environment and Resources.

House Bill No. 317, introduced by Worden, Haines, Watt, Nichols, Ainsworth, Lockwood, Fitzgarrald, Marbut, Campbell: A bill for an act entitled: "An act amending Section 82-3317, R.C.M., 1947, relating to the State Controller's supervision of construction of buildings, excepting from certain of the requirements buildings constructed under authority of the Regents of the Montana University System." Referred to Committee on State Administration.

House Bill No. 318, introduced by Ulmer, Falkenstern: A bill for an act entitled: "An act to require each Board of County Commissioners to furnish all sheriffs and deputy sheriffs with uniforms." Referred to Committee on Townships and Counties.

House Bill No. 319, introduced by McKittrick, Mehrens: A bill for an act entitled: "An act to create a Banking Law Commission, to prescribe its powers and duties, and to make an appropriation therefore." Referred to Committee on Business and Industry.

House Bill No. 320, introduced by Yardley: A bill for an act entitled: "An act amending Section 69-4118, R.C.M., 1947, by including jails among the buildings and facilities subject to sanitary inspections by the State Department of Health." Referred to Committee on Environment and Resources.

House Bill No. 321, introduced by Hall, Greely: A bill for an act entitled: "An act to amend Section 93-1906, R.C.M., 1947, to raise every court reporter's annual salary to twelve thousand five hundred dollars (\$12,500)." Referred to Committee on Judiciary.

House Bill No. 322, introduced by Bardanouve, Nichols: A bill for an act entitled: "The Executive Budget Act—providing for a comprehensive system of financial management and state budgeting on a program basis; repealing Sections 79-1001, 79-1006, 79-1007, 79-1011, 79-1012, 79-1013, 79-1014, 79-1015, 79-1016, 79-1017, 79-1018 and 79-1019, R.C.M., 1947." Referred to Committee on State Administration.

House Bill No. 323, introduced by Bardanouve, Nichols: A bill for an act entitled: "An act to require state agencies to compensate state employees for ordered overtime work." Referred to Committee on State Administration.

House Bill No. 324, introduced by Bardanouve, Nichols: A bill for an act entitled: "An act to amend Section 77-157, R.C.M., 1947, to provide for leave of absence for state employees attending training camps or similar training program." Referred to Committee on State Administration.

House Bill No. 325, introduced by Zimmer, Marks: A bill for an act entitled: "An act to amend Section 82-1202.1, R.C.M., 1947, providing for licensing of businesses which manufacture, sell, service and install fire extinguishers, fire alarms and fire extinguishing systems." Referred to Committee on Business and Industry.

House Bill No. 326, introduced by Harper, Lucas, Christiansen, Lanthorn, Bardanouve, Kosena, Lee, Norman, Perry, McKittrick, Lynch: A bill for an act entitled: "An act relating to unfair trade practices and consumer protection." Referred to Committee on Business and Industry.

House Bill No. 327, introduced by Watt: A bill for an act entitled: "An act amending Section 66-402, R.C.M., 1947, altering the definition of barbering, and amending Section 66-403, R.C.M., 1947, altering the definition of apprentice." Referred to Committee on Business and Industry.

House Bill No. 328, introduced by Lundgren: A bill for an act entitled: "An act to amend Section 19-107, R.C.M., 1947, relating to legal holidays and business days." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 329, introduced by Hall: A bill for an act entitled: "An act to amend Section 28-603, R.C.M., 1947, relating to the protection and conservation of forest and farm resources by the County Commissioners." Referred to Committee on Environment and Resources.

House Bill No. 330, introduced by Keller: A bill for an act entitled: "An act to prohibit insurers from settling a professional liability insurance claim without consent of the insured." Referred to Committee on Judiciary.

House Bill No. 331, introduced by Lund, Kvaalen, Kolstad, Laas, Snortland, Gunderson, Aspevig, Swan, Lien, Edland: A bill for an act entitled: "An act to provide that a nonresident engaged in the business of custom combining shall pay a flat fee of eighty dollars (\$80) per unit in lieu of property taxes required by Section 84-6008, R.C.M., 1947, motor vehicle license fees, as provided in Title 53, R.C.M., 1947, gross vehicle weight fees and over-width permits, as provided in Title 32, R.C.M., 1947; to provide for a collection of the fees by the Gross Vehicle Weight Division of the State Highway Department; and to provide for the disposition of the fees." Referred to Committee on Agriculture and Irrigation.

House Bill No. 332, introduced by Lanthorn, Bennett: A bill for an act entitled: "An act repealing Section 94-35-138 which makes it a misdemeanor to encourage or permit a minor under sixteen (16) years of age to be in a public dance hall." Referred to Committee on Judiciary.

House Bill No. 333, introduced by Kolstad, Laas, Christiansen, Giesick, Gunderson, Snortland, Anderson, Wolf, Spilde, McGrath, Quilici, Robbins, Aspevig, Lundgren, Keller, Dye: A bill for an act entitled: "An act to

amend Sections 74-602 and 74-608, R.C.M., 1947, relating to retail installment sales." Referred to Committee on Business and Industry.

House Bill No. 334, introduced by Yardley, Warfield: A bill for an act entitled: "An act to amend Section 11-614, R.C.M., 1947, to include certain lots among the exceptions for platting for parks and playgrounds." Referred to Committee on Townships and Counties.

House Joint Resolution No. 14, introduced by Keller, Snortland, Kolstad, Giesick, Fagg, Clemow, Glennen, Nelstead, Swan, Ulmer, McNamer, Selstad, Aber, Burnett, Fitzgarrauld, Darrow, Lundgren, Cox, Lockrem. A Joint Resolution of the Senate and House of Representatives of the State of Montana in support of captured American fighting men and those missing in action. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 15, introduced by Haines, Ainsworth, Marbut, Campbell, Worden, Watt, Norman. A Joint Resolution of the Senate and House of Representatives consenting to supplement the construction of the addition and renovation of the Fieldhouse at the University of Montana, Missoula, Montana. Referred to Committee on Long-Range Building.

House Joint Resolution No. 16, introduced by Haines, Ainsworth, Campbell, Worden, Marbut, Watt, Norman. A Joint Resolution of the Senate and House of Representatives consenting to supplement the construction of the renovation of the Health Service Building at the University of Montana, Missoula, Montana. Referred to Committee on Long-Range Building.

House Joint Resolution No. 17, introduced by Haines, Ainsworth, Worden, Campbell, Marbut, Watt, Norman. A Joint Resolution of the Senate and House of Representatives consenting to the construction of a swimming pool at the University of Montana, Missoula, Montana. Referred to Committee on Long-Range Building.

House Joint Resolution No. 18, introduced by Haines, Ainsworth, Worden, Campbell, Marbut, Watt, Norman. A Joint Resolution of the Senate and House of Representatives consenting to the renovation of the Women's Center at the University of Montana, Missoula, Montana. Referred to Committee on Long-Range Building.

House Joint Resolution No. 19, introduced by Forester, Aspevig, Laas, Kolstad. A Joint Resolution of the Senate and House of Representatives consenting to the renovation of the Armory Gym at Northern Montana College, Havre, Montana. Referred to Committee on Long-Range Building.

House Joint Resolution No. 20, introduced by Forester, Clemow, Jackson. A Joint Resolution of the Senate and House of Representatives consenting to the pre-planning of the Food Service expansion at Western Montana College, Dillon, Montana. Referred to Committee on Long-Range Building.

House Joint Resolution No. 21, introduced by Forester, Aspevig, Laas, Kolstad. A Joint Resolution of the Senate and House of Representatives consenting to the renovation of Donaldson Hall at Northern Montana College, Havre, Montana. Referred to Committee on Long-Range Building.

House Joint Resolution No. 22, introduced by Haines, Schoonover. A Joint Resolution of the Senate and House of Representatives calling attention to the need for preservation and protection of Montana's Indian rock paintings and pictographs and directing the Board of Land Commissioners, the State Highway Commission, and the Historical Society of Montana to undertake whatever means necessary to preserve and protect this irreplaceable part of Montana's history and art. Referred to Committee on Environment and Resources.

House Joint Resolution No. 23, introduced by Kendall, T. Murphy, Sverdsten, Shelden. A Joint Resolution of the Senate and House of Representatives asking that the Legislative Council conduct a study of the feasibility and desirability of establishing a self-insurance fund for public schools. Referred to Committee on Education.

House Joint Resolution No. 24, introduced by Reapportionment Committee. A Joint Resolution of the Senate and House of Representatives directing the Forty-second Legislative Assembly and the Reapportionment Committees of the Senate and House of Representatives to follow the standards for reapportionment as set forth in this resolution. Referred to Committee on Reapportionment.

REPORTS OF STANDING COMMITTEES

January 20, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 do not pass.

SCOTT, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Giesick moved that House Bill No. 233 be taken from the Committee on Townships and Counties and be re-referred to Committee on Constitution, Elections and Federal Relations. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 98 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Darrow, Devine, Dye, Edland, Fasbender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Quilici, Robbins, Selstad, Shelden, Snortland, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 74.

Noes: Asbjornson, East, Eggebrecht, Ellerd, Fagg, Giesick, Hall, Harrison, Kosena, Kvaalen, Lund, McNamer, Mather, T. Murphy, Olson, Prevost, Schoonover, Scott, C. Smith, Spilde, Sverdsten, Whitney, Yardley. Total 23.

Absent or not voting: Clemow, Falkenstern, Patrick. Total 3.

Excused: Cox, Gerke, E. Smith, Ulmer. Total 4.

House Bill No. 100 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Gunderson, Haines, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn,

Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Greely, Hall, Schoonover, Staigmilller. Total 4.

Absent or not voting: Harrison. Total 1.

Excused: Cox, Gerke, E. Smith, Ulmer. Total 4.

House Bill No. 103 passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Harrison. Total 1.

Excused: Cox, Gerke, E. Smith, Ulmer. Total 4.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Harrison that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Schoonover in the Chair. Committee arose.

House resumed: Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 49 do not pass.

That House Bill No. 70 do pass.

That House Bill No. 52 do pass.

That House Bill No. 121 do pass.

That House Bill No. 133 be amended in the title by striking period (.) and quotation marks (") and add "Providing for an effective date."

And as so amended, do pass.

That House Bill No. 132 be amended in the title on line 13 by striking the period (.) and quotation marks (") and adding "and providing for an effective date."

And as so amended, do pass.

That House Bill No. 224 do pass.

That House Bill Nos. 120 and 122 be moved to the top of the list.

That House Bill No. 120 do pass.

That House Bill No. 122 do pass.

That the Committee rise and report.

SCHOONOVER, Chairman

Schoonover moved for adoption of the Committee of the Whole report.

As a substitute motion, Selstad moved that House Bill No. 70 be segregated from the Committee of the Whole report and as amended report be adopted. Motion carried.

MOTIONS AND RESOLUTIONS

Ulmer moved that House Bill No. 23 be taken from printing and be re-referred to Committee on Ways and Means. Motion carried.

A motion was made by Selstad that House Bill No. 70 be taken from Second Reading and be re-referred to Committee on Highways. Motion carried.

Harrison moved that the House adjourn until 1:30 p.m., January 21, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

EIGHTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 21, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Gerke, Hall, McGrath, McNamer, E. Smith, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Seventeenth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

January 21, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: 52, 120, 121, 122, 132, 133, 224.

MARKS, Chairman

January 21, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 72, 84, 107, 129, 167, 173, 185, 211, 213, 215, 216, 217, 34, 162, 214, 222, HJR Nos. 4, 6, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 21, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Resolution No. 2.

MARKS, Chairman

January 21, 1971

I have examined House Resolution No. 2, introduced by me, and find the same to be correct.

BRAND

The Speaker signed House Resolution No. 2 in open session, the title having first been read.

January 21, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 8, respectfully report as follows: That House Bill No. 8 be amended as follows: (Scott moved that the House suspend its Rules and consider the amendments read at length. Motion carried.)

Be amended on page 5, Section 5, line 29 of the original and reproduced bill, after the material "secretary." by adding the following sentence: "The secretary of the board shall keep a record of its proceedings.", and

further amend on page 6, Section 5, subsection (2), lines 10, 11, and 12, of the original and reproduced bill, after the words "time to time" by striking the following material: "[, but no such persons may be employed with funds other than those received as fees paid under the provisions of this act.]" and inserting in lieu thereof a period ".", and

further amend on page 6, Section 5, subsection (3), line 15, of the original and reproduced bill, after the word "meetings", by striking the period "." and add the following material: "as provided for in the statutes.", and

further amend on page 6, Section 5, subsection (5), lines 21 through 24, by striking subsection (5) in its entirety and in lieu thereof adding the following new subsection: "(5) The board shall prepare a report to the Governor as required by law.", and

further amend on page 11, Section 10, subsection (c), line 22, of the original and reproduced bill, after the word "board" by striking the words "[of the entire record and]" and inserting in lieu thereof, the words "all of the files of the board concerning the", and

further amend on page 11, Section 10, subsection (c), lines 23 and 24 after the word "board" by striking the words "[including all testimony and evidence,]" and

further amend on page 12, Section 11, subsection (4) on line 24 of the original and reproduced bill after the word "All" by striking the word "[fees]" and inserting in lieu thereof the word "moneys", and

further amend on page 12, Section 11, subsection (4) on lines 25 and 26 after the words, "in the" by inserting the words, "state treasury to the credit of the" and

further amend on page 12, Section 11, subsection (4) on lines 25 and 26, after the word "fund" by striking the words, "[to the credit of the board. Funds unused during any biennium shall be carried over.]" and insert in lieu thereof the words, "for the use of the board."

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 21, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 207, respectfully report as follows: That House Bill No. 207 do pass.

SCOTT, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 248, respectfully report as follows: That House Bill No. 248 do not pass.

SCOTT, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 197, respectfully report as follows: That House Bill No. 197 do not pass.

SCOTT, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 138, respectfully report as follows: That House Bill No. 138 do not pass.

SWAN, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 186, respectfully report as follows: That House Bill No. 186 do not pass.

SWAN, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 do not pass.

SWAN, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 be amended as follows:

Be amended on page 1, Section 1, line 12, after the word "travel" by deleting the rest of the line, and

be further amended on page 1, Section 1, line 13, by deleting the first word of the line "more"

And, as so amended, do pass.

SWAN, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 be amended as follows:

Be amended on page 1, Section 1, line 17, after the word "for" by deleting the rest of the line, and

be further amended on page 1, Section 1, line 18, by deleting the entire line except the word "merchandise".

And, as so amended, do pass.

SWAN, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 12, respectfully report as follows: That House Joint Resolution No. 12 do pass.

WARFIELD, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 221, respectfully report as follows: That House Bill No. 221 do pass.

WARFIELD, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 178, respectfully report as follows: That House Bill No. 178 be amended as follows:

Be amended on page 4, Section 1, line 19, after the word "to" be deleting the words and figures "five and one-fourth per cent (5¼ %)", and inserting in lieu thereof the following material "five per cent (5%)".

And, as so amended, do pass.

WARFIELD, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 256, respectfully report as follows: That House Bill No. 256 be amended as follows:

Be amended in the title of the original bill, page 1, line 10, following the word "grading" by striking the period "." and adding the following "and to update testing processes."

be further amended in Section 1, subsection (6), page 3, line 3, following the word "by" by deleting "[the Brown Duval Moisture Tester and the method of use thereof described in U.S.D.A. Bulletin No. 1375 for testing flaxseed.]" and inserting in lieu thereof the following "use of the equipment and procedure prescribed by the Montana Department of Agriculture."

And be further amended in Section 1, subsection (7), page 3, line 7, by deleting after the word "by" the following "[the Farrell Clipper Tester and Cleaner or any other cleaning device that will give equivalent results.]" and inserting in lieu thereof the following "use of the equipment and procedure prescribed by the Montana Department of Agriculture."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

HEMSTAD, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 do pass.

ULMER, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 255, respectfully report as follows: That House Bill No. 255 do pass.

ULMER, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 be amended as follows: (Ulmer moved that the House suspend its Rules and consider the amendments read at length. Motion carried.)

Be amended on page 1 of the Title of the original and reproduced bill, line 8, after the figures "1947" by striking the period and inserting in lieu thereof the following material "; and providing effective dates."

and further amend on page 1, line 24 before the word "this" by deleting the following material "[This act is effective on passage and approval.]", and inserting in lieu thereof the following new material "For the taxable year beginning on and after January 1, 1971, Section 1 of this act is effective in accordance with Public Law 91-156, Section 1 (12 U.S.C. 548 (5)). For taxable years beginning on and after January 1, 1972, Section 1 of this act is effective in accordance with Public Law 91-156, Section 2 (12 U.S.C. 548)."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 17, respectfully report as follows: That Senate Bill No. 17 be concurred in.

ULMER, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 169, respectfully report as follows: That House Bill No. 169 do pass.

WOLF, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 183, respectfully report as follows: That House Bill No. 183 do pass.

WOLF, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 do pass.

WOLF, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 192, respectfully report as follows: That House Bill No. 192 be amended as follows:

Be amended on page 11, line 19, following the word fragment "tion" striking the numbers "[32-3304]" and inserting in lieu thereof the numbers "32-3301 and 32-3302"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

WOLF, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79 do pass.

FALKENSTERN, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 198, respectfully report as follows: That House Bill No. 198 do pass.

FALKENSTERN, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 225, respectfully report as follows: That House Bill No. 225 do pass.

FALKENSTERN, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 226, respectfully report as follows: That House Bill No. 226 do not pass.

FALKENSTERN, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 130, respectfully report as follows: That House Bill No. 130 do pass.

KELLER, Chairman

Report adopted.

January 21, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 32, respectfully report as follows: That House Bill No. 32 do pass.

KELLER, Chairman

Report adopted.

January 18, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 be amended as follows: (Lundgren moved that the House suspend Rules and consider the amendments read in full. Motion carried.)

Be amended on page 3, Section 4, line 6, of the original bill, by deleting the number (1) and substituting therefor the letter (a) which would then begin on line 7.

be further amended on page 3, line 10, by deleting the number (2) and inserting in lieu thereof the letter (b)

be further amended on page 3, Section 4, line 11, by striking the letter (a) and inserting the figure (1)

be further amended on page 3, Section 4, line 16, by striking the letter (b) and inserting in lieu thereof the number (2)

be further amended on page 3, Section 4, line 21, by striking the letter (c) and inserting in lieu thereof the number (3)

be further amended on page 3, Section 4, line 30, by inserting, following the word "short-term" the following language: "uses of man's environment and the maintenance and enhancement of long-term"

be further amended on page 4, Section 4, line 15, following the word "processess" by striking the ";" and inserting in lieu thereof a period ".". The word "processess" should be correctly spelled "processes"

be further amended on page 4, Section 4, line 16, by striking the letter (d) and inserting in lieu thereof the number (4)

be further amended on page 4, Section 4, line 20, by striking the letter (e) and inserting in lieu thereof the number (5)

be further amended on page 4, Section 4, line 26, by striking the letter (f) and inserting in lieu thereof the number (6)

be further amended on page 4, Section 4, line 30, by striking the letter (g) and inserting in lieu thereof the number (7)

be further amended on page 5, Section 4, line 3, by striking the letter (h) and inserting in lieu thereof the number (8)

be further amended on page 5, Section 6, line 17, following the word "state" by striking the number (1) and inserting in lieu thereof the letter (a) and that (a) begins on line 18.

be further amended on page 5, Section 6, line 19, by striking the number (2) and inserting the letter (b)

be further amended on page 5, Section 6, line 21, by striking the number (3) and inserting in lieu thereof the letter (c)

be further amended on page 7, Section 9, line 10, by inserting after the word and punctuation "necessary." the following language: "Such officers shall be elected for a term of two (2) years."

be further amended on page 7, Section 10, line 11, by inserting following the word "council" the following language: "may determine the time and place of its meetings but" and inserting after the word "meet" the words "at least"

be further amended on page 7, Section 11, line 20, by inserting after the word "least" the following language: "Three (3) years of responsible" and deleting the words "two (2) years"

be further amended on page 8, Section 14, line 16, by deleting the number (1) following the word "staff" and inserting in lieu thereof the letter (a) and that (a) then begins on line 17.

be further amended on page 8, Section 14, line 18, by inserting after the word "current" the word "and"

be further amended on page 8, Section 14, line 26, by striking the number (2) and inserting in lieu thereof the letter (b)

be further amended on page 9, Section 14, line 3, by striking the number (3) and inserting in lieu thereof the letter (c)

be further amended on page 9, Section 14, line 8, by striking the number (4) and inserting the letter (d)

be further amended on page 9, Section 14, line 11, by striking the number (5) and inserting the letter (e)

be further amended on page 9, Section 14, line 16, by striking the figure (6) and inserting in lieu thereof the letter (f)

be further amended on page 9, Section 14, line 19, by striking the figure (7) and inserting in lieu thereof the letter (g) and by adding the word "to" immediately preceding the word "analyze"

be further amended on page 9, Section 14, line 24, by deleting the figure (8) and inserting in lieu thereof the letter (h) and by inserting the word "to" immediately preceding the word "consult"

be further amended on page 9, Section 14, line 28, by striking the figure (9) and inserting in lieu thereof the letter (i) and by inserting the word "to" immediately preceding the word "review"

be further amended on page 10, Section 14, line 3, by striking the figure (10) and inserting the letter (j)

be further amended on page 10, Section 14, line 8, by striking the letter (a) and inserting in lieu thereof the figure (1)

be further amended on page 10, Section 14, line 15 by striking the letter (b) and inserting in lieu thereof the figure (2)

be further amended on page 10, Section 14, line 18, by striking the letter (c) and inserting in lieu thereof the figure (3)

be further amended on page 10, Section 14, line 23, by striking the letter (d) and inserting in lieu thereof the figure (4)

be further amended on page 10, Section 14, line 29, by striking the letter (e) and inserting the figure (5)

be further amended on page 11, line 2, by striking the figure "14" following the word "Section" and inserting in lieu thereof the figure "15"

be further amended on page 11, line 7, by striking the figure "15" following the word "Section" and inserting in lieu thereof the figure "16"

be further amended on page 11, line 26, by striking the figure "16" following the word "Section" and inserting in lieu thereof the figure "17"

be further amended on page 11, line 27, by striking the figure (1) following the word "shall" and inserting in lieu thereof the letter (a) and that (a) begins line 28.

be further amended on page 11, line 29, by inserting the words "educational institutions," following the word "organizations,"

be further amended on page 12, line 2, by striking the figure (2) and inserting in lieu thereof the letter (b)

be further amended on page 12, line 11, by striking the figure "17" following the word "Section" and inserting the figure "18"

And, as so amended, do pass.

LUNDGREN, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 23, introduced by Klindt, et al

Senate Bill No. 78, introduced by Gilfeather, et al

Senate Bill No. 63, introduced by Drake, et al

Senate Bill No. 19, introduced by McGowan and Deschamps

Senate Bill No. 20, introduced by McGowan and Deschamps

Senate Bill No. 9, introduced by Mathers, et al

Senate Joint Resolution No. 8, introduced by Klindt, et al.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Warfield moved that House Bill No. 285 be taken from the Committee on Education and be re-referred to Committee on Affairs of Cities. Motion carried.

Keller moved that House Bill No. 104 be taken from Public Health, Welfare and Safety and be re-referred to Committee on State Administration. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 335, introduced by Zimmer, Schoonover, Keller: A bill for an act entitled: "An act to limit liability to gross negligence or wilful misconduct in an action for property damage arising from a collision upon a public highway or road between a motor vehicle and livestock." Referred to Committee on Judiciary.

House Bill No. 336, introduced by Hall: A bill for an act entitled: "An act amending Section 45-502, R.C.M., 1947, to provide that a person claiming a mechanics' lien who does not have a direct contractual relationship with the owner of the real property shall, within ten days of the first supplying of materials or labor, give notice to the owner that such material or labor is being supplied." Referred to Committee on Judiciary.

House Bill No. 337, introduced by Hall: A bill for an act entitled: "An act providing that the owner of real property against which a mechanics' lien has been filed may substitute a bond for the security of the lien and that said real property shall then be released from the effect of such lien, together with any improvements thereon, and providing, in such instance, that the lien claimant shall have an action upon the bond rather than an action to foreclose a lien, and providing that the statute of limitations for foreclosure of a mechanics' lien shall apply to an action upon such bond." Referred to Committee on Judiciary.

House Bill No. 338, introduced by Hall, McKittrick, Haines, Healy, Towe: A bill for an act entitled: "An act to establish minimum wages and hours for employees in the State of Montana; delegating to the Commissioner of Labor the duty of administering the act; and providing enforcement." Referred to Committee on Business and Industry.

House Bill No. 339, introduced by Gunderson, Forester, Staigmiller: A bill for an act entitled: "An act providing for the development and implementation of a model program-planning-budgeting-and-evaluation-system in one (1) first class and one (1) second class school district selected by the State Board of Education, and appropriating funds therefor." Referred to Committee on Education.

House Bill No. 340, introduced by Brand, Glennen: A bill for an act entitled: "An act to amend Section 68-203 (h), Revised Codes of Montana, 1947, by clarifying the nature of retirement systems which would disqualify a person from membership in the Public Employees Retirement System; repeal conflicting acts." Referred to Committee on State Administration.

House Bill No. 341, introduced by Patrick, Lanthorn, Lee, McKittrick, Perry, Lockrem, Menahan, Harper: A bill for an act entitled: "An act amending Section 66-803, R.C.M., 1947, changing the statutory requirements for length of beauty school; and changing the fee charged for temporary license." Referred to Committee on Business and Industry.

House Bill No. 342, introduced by Patrick, Lanthorn, McKittrick, Perry: A bill for an act entitled: "An act to amend Section 66-804, R.C.M., 1947, providing for an increased number and composition of the membership in the State Examining Board of Cosmetology." Referred to Committee on Business and Industry.

House Bill No. 343, introduced by Towe, Harper, Johnston, Parrish, Patrick: A bill for an act entitled: "An act to amend Sections 69-3502 and 69-3505, R.C.M., 1947, to provide for wearing of life jackets on wild rivers or streams." Referred to Committee on Fish and Game.

House Bill No. 344, introduced by Towe, Greely, Keller, Fasbender, Watt: A bill for an act entitled: "An act to amend Sections 94-112, 94-114, 94-2505, 94-2601, 94-3207, 94-4501, 95-2301, 95-2305, R.C.M., 1947, and to repeal Sections 95-2303, 95-2304, 95-2306, 95-2307 abolishing the death penalty." Referred to Committee on Judiciary.

House Bill No. 345, introduced by Shelden, Kendall, Schoonover, Baeth: A bill for an act entitled: "An act amending Section 84-429.7, R.C.M., 1947, relating to the duties of Boards of County Commissioners in connection with the classification and appraisal of property for tax purposes, by providing therein for the appraisal of timberlands." Referred to Committee on Ways and Means.

House Bill No. 346, introduced by Shelden, Kendall, Schoonover, Baeth: A bill for an act entitled: "An act amending Sections 84-402 and 84-404, R.C.M., 1947, concerning information to be furnished taxpayers in assessments of their property, to require assessments to indicate the basis or percentage upon which true and full value is determined for assessment purposes." Referred to Committee on Ways and Means.

House Bill No. 347, introduced by Patrick, Bennett, Ainsworth, Nelstead, Worden, Lanthorn, Towe, Lundgren: A bill for an act entitled: "An act to provide for the creation of a game preserve in the area of the Gates of the Mountains, Lewis and Clark County, Montana, under the provisions of Section 26-1101, Revised Codes of Montana, 1947, as amended." Referred to Committee on Fish and Game.

House Bill No. 348, introduced by Patrick, Towe, Healy: A bill for an act entitled: "An act amending Section 84-4820, R.C.M., 1947, to provide an extension of time for filing annual statement of railway freight car leases and payment of tax." Referred to Committee on Ways and Means.

House Bill No. 349, introduced by Haines, Lundgren, Bardanouve, Prevost: A bill for an act entitled: "An act providing for prima facie evidence of the intent to defraud in the issuance of non sufficient funds checks and to provide for civil liability for interest, costs of collection and reasonable collection fees upon such checks." Referred to Committee on Judiciary.

House Bill No. 350, introduced by Haines, Lundgren, Bardanouve: A bill for an act entitled: "An act defining the offense of issuing a bad check; providing for prima facie evidence of intent; providing penalties for violations and repealing Section 94-2702." Referred to Committee on Judiciary.

House Bill No. 351, introduced by East, Selstad: A bill for an act entitled: "An act relating to all users of special fuels including liquid petroleum gases as defined by Section 84-1831 (h), Revised Codes of Montana, 1947, as amended, providing for the imposition, payment and collection of a tax upon the receipt, delivery or placement of liquid petroleum gases into the fuel system supply tanks of motor vehicles for use in propulsion of same on public highways within the State of Montana; providing for the making of a return, and payment of tax by a user thereof in motor vehicles for propulsion on public highways within the state, supplied to the user in a manner and from a supply system other than the direct placement by a special fuel dealer into the fuel supply system tank of a motor vehicle and providing for authority of the Board of Equalization of the State of Montana to provide forms by which the user can comply with the law and pay the lawful tax imposed upon special fuels; and authority of enforcement by the Board of Equalization and penalties for violation; and amending Sections 84-1832, 84-1832.1, 84-1833 and 84-1835, R.C.M., 1947." Referred to Committee on Highways.

House Bill No. 352, introduced by Nelstead, Giesick, Devine, Glennen: A bill for an act entitled: "An act amending powers and duties of the State Board of Equalization in Section 84-708, R.C.M., 1947, relating to the assessment and apportionment of public utility companies, by adding an alternative method of apportionment of the valuation for assessment of such company among the several counties of this state in such proportion as in the judgment of the board will fairly represent the valuation for assessment within each such county, utilizing commonly recognized methods of apportioning as in its judgment shall be just and equitable." Referred to Committee on Ways and Means.

House Bill No. 353, introduced by Dye, Greely, Bennett, Patrick, Swanberg, Keller, Selstad: A bill for an act entitled: "An act creating the division of criminal investigation within the office of the Attorney General and defining the duties of said division." Referred to Committee on State Administration.

House Bill No. 354, introduced by Greely, Hall, Bennett, McKittrick, Parrish: A bill for an act entitled: "An act to amend Section 92-702, R.C.M., 1947, to delete limitations as to type of injuries for which additional compensation may be awarded." Referred to Committee on Labor and Compensation.

House Bill No. 355, introduced by Burnett, Glennen, Nelstead, Christiansen, Healy: A bill for an act entitled: "An act relating to sheriff's motor vehicles; amending Section 16-2724, R.C.M., 1947, to allow county commissioners to furnish motor vehicles to sheriff's office without consent of sheriff; amending Sections 16-2723, and 25-226, R.C.M., 1947, to increase mileage payments to sheriffs using privately owned motor vehicles used by sheriffs." Referred to Committee on Townships and Counties.

House Bill No. 356, introduced by Knudsen, Kosena, Menahan, Mehrens: A bill for an act entitled: "An act to allow totally and permanently disabled residents of the State of Montana to purchase and fish with a fifteen cent (15¢) Pioneer License." Referred to Committee on Fish and Game.

House Bill No. 357, introduced by Keller, Sverdsten, Selstad: A bill for an act entitled: "An act to provide a state welfare equalization levy." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 358, introduced by Keller, Harper, Sverdsten, Selstad: A bill for an act entitled: "An act requiring the State Department of Public Welfare to reimburse the county welfare departments one half ($\frac{1}{2}$) of the amount of any approved general relief grants." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 359, introduced by Keller, Selstad, Sverdsten, Harper: A bill for an act entitled: "An act to amend Section 71-106 and Section 71-222, R.C.M., 1947, lowering the welfare levy ceiling from seventeen (17) mills to fourteen (14) mills." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 360, introduced by Dye, Ellerd, Lockwood: A bill for an act entitled: "An act authorizing the establishment of student building fees at Montana State University; repealing Chapter 372, Laws of 1969, and providing an effective date." Referred to Committee on Education.

House Bill No. 361, introduced by Dye, Wolf, Zimmer, Snortland, Kolstad, Ellerd, Lockwood: A bill for an act entitled: "An act providing for the display of tax-paid decals on every snowmobile operated in the State of Montana; for the yearly issuance of such decals; for a change in the assessment date of snowmobiles; providing penalties for violation of this act; and amending Section 84-406, R.C.M., 1947." Referred to Committee on Fish and Game.

House Bill No. 362, introduced by Bennett, Greely, Lanthorn, Harrison, Patrick: A bill for an act entitled: "An act to amend Sections 25-301, 25-303, 25-306, 11-1601, 93-401 and 93-402, R.C.M., 1947, relating to justices' courts and justices." Referred to Committee on Judiciary.

House Bill No. 363, introduced by Keller, Gunderson, Devine, Patrick, Staigmiller: A bill for an act entitled: "An act to amend Section 75-6810, R.C.M., 1947, to provide for payment of salaries of school district employees by deposit directly to employees' account in local banks upon employee authorization." Referred to Committee on Education.

House Bill No. 364, introduced by Patrick: A bill for an act entitled: "An act to amend Section 75-7309, R.C.M., 1947, relating to the investment of endowment funds of school districts." Referred to Committee on Education.

House Bill No. 365, introduced by Olson: A bill for an act entitled: "An act to amend Section 66-1413, Revised Codes of Montana, 1947, providing that osteopathy is not the practice of medicine and providing that a person who has completed one year of an approved internship and graduated from a college of osteopathic medicine after 1965 may apply to the Board of Medical Examiners to take the examination to practice medicine and surgery in the State of Montana as an osteopathic physician and surgeon." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 366, introduced by Brand: A bill for an act entitled: "An act appropriating one thousand nine hundred forty-four dollars (\$1,944) to pay the claim of Melvin Beck for the loss of hay by fire set by a patient of the Montana State Hospital on December 25, 1963." Referred to Committee on Appropriations.

House Bill No. 367, introduced by Brand, Campbell, Ainsworth, Aber, Burnett: A bill for an act entitled: "An act amending Section 84-301, R.C.M., 1947, to provide phosphates to be included in class four (4) of property for a basis for taxation." Referred to Committee on Ways and Means.

House Bill No. 368, introduced by Marbut, Watt: A bill for an act entitled: "An act to revise Chapter 50 of Title 69 by broadening the statement of public policy to refer to quality of water for all uses; revising the definition of subdivision; adding other definitions; revising the provisions for making rules and standards; requiring approval of subdivision maps or plats and plans and specifications by local planning board and Department of Health before filing with county clerk and recorder; providing for notice to Fish and Game Department of proposed subdivisions; providing for public notice of proposed subdivisions; providing for hearings on rules and standards; providing for hearings on alleged violations and proposed subdivisions and limiting time for requests for hearings and providing for consolidation of hearings; providing for judicial review and appeals; providing remedies and sanctions relating to violations; permitting any person or governmental subdivision or agency to protest violation and providing for investigation of alleged violations; providing for use of records and cooperation of other agencies; providing for effect of invalidity of part of act or violation of part; amending Sections 69-5001, 69-5002, and 69-5005, R.C.M., 1947, and repealing Sections 69-5003 and 69-5004, R.C.M., 1947." Referred to Committee on Environment and Resources.

House Bill No. 369, introduced by McNamer, Bardanouve, Clemow, Darrow, Fagg, Ellerd, Snortland, Kolstad, Norman, Watt, Lanthorn, Gunderson, Hodges, Bennett: A bill for an act entitled: "An act to Levy a tax on all outdoor advertising signs, establish taxable rates and classifications for advertising signs, providing for issuing of permits by county assessors, distribution of tax receipts, providing a penalty and establishing an effective date." Referred to Committee on Ways and Means.

House Bill No. 370, introduced by Harrison, Christiansen, Marbut, Giesick, Nichols, Quilici, Lombardi, Haines, Gunderson, Lucas, Lee, Lanthorn, Kolstad, Bennett, Harper, Patrick, Brand, Watt, E. Smith, Himsl, Mehrens, Healy, Lynch, East, Brown, Laas, Aspevig, Robbins, Staigmiller, Eggebrecht, Kendall, Fleming, T. Murphy, Swanberg, Perry, Kosena, Towe, Nelstead, Cox, Warfield, Forester, Fasbender, Zimmer, Marks, Schoonover, Asbjornson, Hall, Parrish, J. Murphy: A bill for an act entitled: "An act relating to the public employees' retirement system changing the formula for calculating retirement benefits; increasing the employer contribution to the retirement fund; increasing retirement allowances to members of the system retired prior to July 1, 1971; requiring a minimum of one year of creditable service after reinstatement from retirement to be eligible for newly enacted retirement benefits; amending Sections 68-801, 68-901, 68-1307, R.C.M., 1947, and adding new Section 68-902, R.C.M., 1947." Referred to Committee on State Administration.

House Bill No. 371, introduced by Schoonover, T. Murphy: A bill for an act entitled: "An act amending Section 53-122, R.C.M., 1947, to provide for licensing of pickup camper or chassis-mount units." Referred to Committee on Highways.

House Bill No. 372, introduced by Greely, Lee, Lombardi, Menahan, Harper, McKittrick, Healy, Towe, Mehrens, Brand: A bill for an act entitled: "An act to amend the restaurant, bar and tavern wage protection act, removing the liability of lessors for unpaid wages of lessee's employees, amending Sections 41-2002, 41-2003, 41-2004, 41-2005, and 41-2006, R.C.M., 1947, and repealing Sections 41-2007, 41-2009, and 41-2011, R.C.M., 1947." Referred to Committee on Labor and Compensation.

House Bill No. 373, introduced by Nelstead, Glennen, Jackson: A bill for an act entitled: "An act to amend Section 23-3014, R.C.M., 1947, relating to the cancellation of registry of persons convicted of a felony." Referred to Committee on Judiciary.

House Bill No. 374, introduced by Nelstead, Glennen, Jackson: A bill for an act entitled: "An act relating to the time for city elections,

amending Section 11-709 and Section 23-3302, R.C.M., 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 375, introduced by Nelstead, Glennen, Jackson: A bill for an act entitled: "An act to amend Section 75-5912, R.C.M., 1947, changing the regular school election day to the first Friday of April." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 376, introduced by Nichols, Laas, by request: A bill for an act entitled: "An act amending Section 4-406, R.C.M., 1947, defining "board" and "state liquor store"; abolishing state liquor stores; providing for the retail sale of liquor in the original package; regulating the mark-up on liquor sold in the original package by licensees; repealing Sections 4-114, 4-115, 4-116, 4-117, 4-118, 4-119, 4-120, 4-121, 4-152, 4-405 and 4-406, Revised Codes of Montana, 1947, and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Business and Industry.

House Bill No. 377, introduced by Lee, by request: A bill for an act entitled: "An act to amend Section 24-107, R.C.M., 1947, relating to guy insulation, by providing for the use of fiberglass insulators." Referred to Committee on Business and Industry.

House Bill No. 378, introduced by Lombardi, Mehrens, Lee, Harper, Quilici, Perry, McKittrick, Asbjornson, Haines, Baeth, Lund, Campbell, Eggebrecht, Lynch, Healy, Kosen, Menahan, McGrath, Marbut: A bill for an act entitled: "An act to instruct the constitutional convention of the State of Montana to study a constitutional provision relating to the establishment and conducting of a lottery by the State of Montana for the purpose of funding Montana schools and highways." Referred to Committee on Constitutional Convention.

House Bill No. 379, introduced by Greely, Staigmillar: A bill for an act entitled: "An act excluding incidentals from those deductions which may be made from wages by an employer whenever such deductions are a part of the conditions of employment, by amending Section 41-1301, R.C.M., 1947." Referred to Committee on Labor and Compensation.

House Bill No. 380, introduced by Worden, Zimmer, Nichols: A bill for an act entitled: "An act amending Sections 91-4418 and 91-4450, R.C.M., 1947, to provide for monthly reports and remittance to the State Board of Equalization of collections by county treasurers made under inheritance tax laws, and to provide for appropriate refunds by the State Board of Equalization." Referred to Committee on Townships and Counties.

House Bill No. 381, introduced by Haines, Worden: A bill for an act entitled: "An act amending Section 82-3320, R.C.M., 1947, relating to the policy regarding practice of architecture." Referred to Committee on Business and Industry.

House Bill No. 382, introduced by Bardanouve, Nichols: A bill for an act entitled: "An act to provide for the issue and sale by the State Board of Examiners of bonds for the purpose of constructing an addition to the employment security commission building located on the capitol building grounds; designating the funds from which said bonds shall be paid; providing for an employment security commission building interests and sinking fund; enumerating the powers and duties of the State Board of Examiners in carrying out the provisions of this act; authorizing the state land board to purchase said bonds with moneys from the long term investment funds; providing a savings clause; and providing an effective date." Referred to Committee on Long-Range Building.

House Bill No. 383, introduced by Bardanouve, Nichols: A bill for an act entitled: "An act to provide for the issue and sale by the State Board of Examiners of long term bonds for the purpose of erecting employment security commission office buildings within the State of Montana, designat-

ing the funds from which said bonds shall be paid; providing for employment security commission interest and sinking funds; enumerating the powers and duties of the State Board of Examiners in carrying out the provisions of this act; authorizing the State Land Board to purchase said bonds with moneys from the long term investment funds; providing a savings clause; and providing an effective date." Referred to Committee on Long-Range Building.

House Bill No. 384, introduced by Lucas, Lanthorn: A bill for an act entitled: "An act defining the offense of violating the privacy of communications; providing the penalty for said violation; providing law enforcement officials with the authority to "wire tap" certain communications in certain instances and providing the procedure to be followed when making application for permission to intercept a wire or oral communication and setting forth the procedure to be used during and after completion of the communication interception; and further providing a penalty for unlawfully possessing any instrument, as defined in this act, which can be used in intercepting communications; and repealing Sections 94-3203, 94-3320, 94-3321, 94-3323, 94-35-220, 94-35-274, and 94-35-275, R.C.M., 1947." Referred to Committee on Judiciary.

House Bill No. 385, introduced by Yardley: A bill for an act entitled: "An act to amend Section 23-3003, R.C.M., 1947, to give a deputy registrar twenty-five cents (25¢) compensation for each elector that he registered." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 386, introduced by Bardanouve, Mather, Forester, Cox, Harrison, Hall, Glennen, Selstad, Brand, Zimmer, Keller, Swanberg, Gunderson, Lee, Greely, Fasbender, Staigmler, Devine, Norman, Campbell, Kvaalen, Christiansen, Lombardi, Quilici, Marks, Warfield, Mehrens, Marbut, Aspevig, Menahan, Kosena, Fagg, Lockrem, Robbins, Giesick, Nelstead, Hodges, Haines, Prevost, Watt, Harper, McKittrick: A bill for an act entitled: "An act amending Section 11-1829. R.C.M., 1947, to authorize the investment of police retirement fund money in time or savings deposits in banks, building and loan associations and savings and loan associations." Referred to Committee on Affairs of Cities.

House Bill No. 387, introduced by Bardanouve, Mather, Forester, Giesick, Cox, Harrison, Hall, Glennen, Keller, Gunderson, Brand, Zimmer, Selstad, Lee, Fasbender, Swanberg, Staigmler, Devine, Greely, Kvaalen, Christiansen, Lombardi, Campbell, Norman, Marks, Quilici, Warfield, Mehrens, Marbut, Aspevig, Menahan, Kosena, Fagg, Lockrem, Robbins, Nelstead, Hodges, Haines, Prevost, Watt, McKittrick, Harper: A bill for an act entitled: "An act amending Section 11-1914 to authorize the investment of fire department relief association funds in time or savings deposits in banks, building and loan associations and savings and loan associations." Referred to Committee on Affairs of Cities.

House Bill No. 388, introduced by Bardanouve, Mather, Forester, Brand, Cox, Harrison, Hall, Glennen, Keller, Gunderson, Selstad, Lee, Greely, Fasbender, Swanberg, Staigmler, Devine, Norman, Campbell, Kvaalen, Christiansen, Lombardi, Quilici, Marks, Warfield, Mehrens, Marbut, Aspevig, Menahan, Kosena, Fagg, Lockrem, Robbins, Giesick, Nelstead, Hodges, Haines, Prevost, Watt, McKittrick, Harper, Zimmer: A bill for an act entitled: "An act amending Section 79-301, 79-302, 79-306, R.C.M., 1947, to authorize the deposit of public moneys in savings and loan associations." Referred to Committee on Affairs of Cities.

House Bill No. 389, introduced by Bardanouve, Mather, Forester, Brand, Cox, Harrison, Hall, Glennen, Swanberg, Gunderson, Selstad, Zimmer, Keller, Greely, Fasbender, Staigmler, Norman, Lee, Campbell, Kvaalen, Christiansen, Lombardi, Quilici, Warfield, Mehrens, Marbut, Aspevig, Menahan, Kosena, Fagg, Lockrem, Giesick, Nelstead, Hodges, Haines, Prevost, Watt, McKittrick, Harper: A bill for an act entitled: "An act amending Section 16-2618, R.C.M., 1947, to authorize county, city and town treasurers to

deposit public moneys in savings and loan associations." Referred to Committee on State Administration.

House Bill No. 390, introduced by Laas, Wolf, Lien: A bill for an act entitled: "An act to amend Section 32-2148, R.C.M., 1947, eliminating the fifty (50) mile per hour speed limit for trucks over eight thousand (8,000) pounds, and providing a speed limit for such trucks at sixty-five (65) miles per hour on interstate and four lane highways and sixty (60) miles per hour on primary and secondary highways." Referred to Committee on Highways.

House Bill No. 391, introduced by East, by request: A bill for an act entitled: "An act to amend Section 87-106, R.C.M., 1947, which Section is a part of the unemployment compensation law, by changing the commencement date of disqualifications under Section 87-106 (a) and (b); deleting chargeback matters provided for in another section; and modifying the disqualification for leaving work; providing for the payment of benefits to an individual taking approved training in conformity with Public Law 91-373, employment security amendments of 1970; eliminating the denial of benefits by reason of cancellation of wage credits by repealing Sections 87-106 (g) and (j) in conformity with Public Law 91-373, employment security amendments of 1970." Referred to Committee on Labor and Compensation.

House Bill No. 392, introduced by East, by request: A bill for an act entitled: "An act to amend Section 87-109, R.C.M., 1947, which section is a part of the unemployment compensation law, by extending coverage to non-profit organizations in conformity with Public Law 91-373, employment security amendments of 1970; reducing the time required to qualify for a reduced rate from five years to three years; requiring reports to be filed and contributions to be paid for the computation period before less than the assigned maximum contribution rate can be assigned; providing for an exception in limiting amount of increase in contribution rate; increasing the tax base from \$3,000 per annum per employee to \$4,200, and providing an effective date in conformity with Public Law 91-373, employment security amendments of 1970; providing for employer appeals; deleting language no longer applicable; reducing average annual tax rate for 1972." Referred to Committee on Labor and Compensation.

House Bill No. 393, introduced by Ways and Means Committee: A bill for an act entitled: "An act amending Section 84-301, R.C.M., 1947, relating to classification of property for taxation." Referred to Committee on Ways and Means.

House Bill No. 394, introduced by Nichols: A bill for an act entitled: "An act to amend Section 75-6410, R.C.M., 1947, providing the qualifications of electors at school elections by changing the voting age from twenty-one to nineteen." Referred to Committee on Constitution, Elections, and Federal Relations.

House Bill No. 395, introduced by Keller, Nichols: A bill for an act entitled: "An act to amend Section 16-405, R.C.M., 1947, providing for registration of voters for elections, by changing the age of a qualified voter from twenty-one years of age to nineteen years of age." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 396, introduced by Keller, Nichols: A bill for an act entitled: "An act to amend Section 11-3116, R.C.M., 1947, and Section 11-3229, R.C.M., 1947, providing penalties for giving false information concerning qualifications as a voter for city elections under a commission or commission-manager form of government, by changing the age of qualified voter from twenty-one to nineteen years of age." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 397, introduced by Keller, Nichols: A bill for an act entitled: "An act to amend Section 23-3016, R.C.M., 1947, providing for

the close of registration of voters by changing the close of registration from forty days before any election to thirty days before any election." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 398, introduced by Keller, Nichols: A bill for an act entitled: "An act to amend Section 23-2701, R.C.M., 1947, providing qualifications of electors by reducing the age from twenty-one to nineteen, except that the age will be eighteen for elections for President and Vice President of the United States; by reducing the residency requirement to thirty days for elections for President and Vice President of the United States; and by repealing Sections 23-2702 and 23-2703, R.C.M., 1947, pertaining to qualifications of electors to vote on questions of incurring a state debt, issuing bonds, or levying a state tax." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 399, introduced by Keller, Nichols: A bill for an act entitled: "An act amending Sections 23-3013, 23-3509, 23-3610, 23-3709 and 23-3321, R.C.M., 1947, of the election laws pertaining to cancellation of registry for failure to vote, printing of candidate's name and party designation on ballot, marking precinct register book before elector votes, absentee ballots and declining nominations and vacancies before and after primary." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 400, introduced by Campbell: A bill for an act entitled: "An act amending Section 82-3316, R.C.M., 1947, relating to authority to construct buildings, to grant the regents of the Montana University system authority to construct buildings not requiring legislative appropriation of moneys." Referred to Committee on Long-Range Building.

House Bill No. 401, introduced by Judiciary Committee: A bill for an act entitled: "An act validating and declaring legal all levies and expenditures heretofore made and engagements entered into by counties, cities or towns for the purposes of the municipal airport act and all elections held in counties, cities or towns for the purpose of creating indebtedness for such purposes wherein a majority of the vote cast was in favor of such indebtedness; and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 402, introduced by Bardanouve: A bill for an act entitled: "An act providing the state highway commission with the power to regulate the height of advertising signs." Referred to Committee on Highways.

House Bill No. 403, introduced by Bardanouve: A bill for an act entitled: "An act to amend Sections 93-1205 and 95-1901, R.C.M., 1947, and Rule 48, M.R.C.P., relating to the number of persons on juries." Referred to Committee on Judiciary.

House Bill No. 404, introduced by Bardanouve: A bill for an act entitled: "An act to amend Section 23-3509, R.C.M., 1947, relating to no party designation for candidates for judicial office; and repealing Sections 23-4501, 23-4502, 23-4503, 23-4504, 23-4505, 23-4506, 23-4507, 23-4508, 23-4509, 23-4510, 23-4511, R.C.M., 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 405, introduced by Selstad, Keller: A bill for an act entitled: "An act to create a consolidated retirement system for policemen in municipalities under the metropolitan police law and fully paid firemen who are employed after July 1, 1970." Referred to Committee on Affairs of Cities.

House Bill No. 406, introduced by Himsl, Lundgren, Fasbender, Christiansen, McNamer: A bill for an act entitled: "An act amending Section 84-4905, R.C.M., 1947, to remove the exemption of dividends from capital stock of national banks in Montana from adjusted gross income for income

tax purposes; and providing effective dates." Referred to Committee on Ways and Means.

House Bill No. 407, introduced by C. Smith, Jackson, Swan, Robbins: A bill for an act entitled: "An act to amend Section 82-3001, R.C.M., 1947, to include the section of the livestock commission and the executive officer of the Livestock Sanitary Board on the interdepartmental advisory council." Referred to Committee on Livestock and Ranges.

House Bill No. 408, introduced by Bardanouve, Ulmer: A bill for an act entitled: "An act relating to fees allowed to sheriffs for board of prisoners; amending Sections 16-2808, 16-2818, and 16-3802, R.C.M., 1947; repealing Sections 25-227 and 25-228, R.C.M., 1947." Referred to Committee on Townships and Counties.

House Bill No. 409, introduced by Ulmer: A bill for an act entitled: "An act to amend Section 84-6208, R.C.M., 1947, so as to provide that net proceeds tax on gas or petroleum shall be payable in two installments in accordance with Section 84-4103, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 410, introduced by Hall: A bill for an act entitled: "An act to amend Section 23-3022, R.C.M., 1947, as amended, to delete the provision that a person may not gain or lose residence while employed in the service of the United States or of the State of Montana." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 411, introduced by Mather, Bardanouve: A bill for an act entitled: "An act to amend Section 46-2322, R.C.M., 1947, providing grazing preferences appurtenant to dependent commensurate property." Referred to Committee on Livestock and Ranges.

House Bill No. 412, introduced by Nichols, Fitzgarrauld: A bill for an act entitled: "An act amending Section 94-35-269, R.C.M., 1947, providing for the prosecution of careless, reckless and negligent hunters and for imposing penalties thereon." Referred to Committee on Fish and Game.

House Bill No. 413, introduced by Swan, by request: A bill for an act entitled: "An act providing for new office hours; repealing Sections 59-510(1) and 59-510(2), R.C.M., 1947." Referred to Committee on State Administration.

House Bill No. 414, introduced by Towe, Yardley, Ellerd, Lockwood, Mehrens, Harper: A bill for an act entitled: "An act to provide that the shares of banking corporations be placed on assessment rolls at no greater percentage of full cash value than real estate." Referred to Committee on Ways and Means.

House Bill No. 415, introduced by Towe, Baeth, Lynch, Lee, Harper, Guilici, Norman: A bill for an act entitled: "An act limiting the liability of an employer to subsequent injury only; providing compensation for combined effects of pre-existing permanent injury and subsequent injury; providing for notice; creating second injury and compensation fund; and defining terms." Referred to Committee on Judiciary.

House Bill No. 416, introduced by Gunderson, Laas: A bill for an act entitled: "An act amending Section 1-201, R.C.M., 1947, to increase the daily and annual per diem allowance for members of the State Aeronautics Commission." Referred to Committee on Fish and Game.

House Bill No. 417, introduced by Glennen, Nelstead, Dye, Campbell, Forester, Healy, Cox: A bill for an act entitled: "An act providing for supplementing provisions of the special improvement district revolving fund to include sidewalk, curb and alley approach warrants; amending Sections 11-2269, 11-2270, 11-2271, and 11-2272, R.C.M., 1947." Referred to Committee on Townships and Counties.

House Bill No. 418, introduced by Glennen, Nelstead, Campbell, Forster, Healy, Cox: A bill for an act entitled: "An act granting city and town councils authority to provide the means by which the reasonable costs of removal or demolition of a nuisance shall be assessed and become a lien upon the property upon which the nuisance existed in the event it shall become necessary for the city to remove or demolish said nuisance; amending Section 11-935, R.C.M., 1947." Referred to Committee on Townships and Counties.

House Bill No. 419, introduced by Giesick, Eggebrecht, Swan, Swanberg: A bill for an act entitled: "An act amending Sections 4-317, 4-324, and 4-347, R.C.M., 1947, and Section 4, Chapter 296, Laws of 1969, to make the current beer barrelage tax permanent; providing for severability; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

House Bill No. 420, introduced by Eggebrecht, Giesick, Swan, Swanberg: A bill for an act entitled: "An act to amend the Montana Beer Act and in particular Sections 4-311, 4-317, 4-319, 4-320, 4-324, 4-325, and 4-347, R.C.M., 1947, and Section 4 of Chapter 296, Laws of 1969, relating to the beer barrelage tax, to require breweries to pay such tax direct to the Montana Liquor Control Board and to make the current beer barrelage tax permanent; making appropriate changes in matters to be reported to the Montana Liquor Control Board by brewers and wholesalers; providing for payments by beer wholesalers on their June 1971 sales and inventories on hand as of June 30, 1971; providing for severability if any part of this act is determined unconstitutional; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

House Bill No. 421, introduced by Nichols: A bill for an act entitled: "An act amending Sections 4-311, 4-319, 4-320, 4-324, and 4-325, R.C.M., 1947, to require that breweries operating outside the State of Montana make beer tax payments directly to the Montana Liquor Control Board; providing for payments by beer wholesale dealers on their June 1971 sales and inventories on hand as of June 30, 1971." Referred to Committee on Business and Industry.

House Bill No. 422, introduced by Devine, Kolstad: A bill for an act entitled: "An act to amend Section 64-207.1, R.C.M., 1947, relating to the opportunity of a publisher of libelous or defamatory matter to correct the same, by adding cable television systems to the list of such publishers; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 423, introduced by Fagg, Snortland: A bill for an act entitled: "An act relating to the sale or distribution of harmful materials to minors." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 424, introduced by Haines, Mather: A bill for an act entitled: "An act to amend Section 40-3729, R.C.M., 1947, pertaining to the assignment of insurance policies; providing for the assignment of the incidents of ownership of group insurance certificates." Referred to Committee on Business and Industry.

House Bill No. 425, introduced by Norman (By request): A bill for an act entitled: "An act to codify the law with regard to medical liability based on negligence and providing jury instructions relative thereto." Referred to Committee on Judiciary.

House Bill No. 426, introduced by J. Murphy: A bill for an act entitled: "An act relating to the inspection of passenger tramways; providing for creation of a passenger tramway safety board, term of office, and compensation of board members, powers and duties of the board, passenger tramway registration, registration fees, and judicial review." Referred to Committee on Business and Industry.

House Bill No. 427, introduced by Worden, Haines, Campbell, Ainsworth, Healy, Watt, Norman: A bill for an act entitled: "An act to require a permit from the board of county commissioners for construction, alteration or removal of buildings in areas where no city permits are issued and where the value exceeds one thousand dollars (\$1,000) and providing a penalty." Referred to Committee on Affairs of Cities.

House Bill No. 428, introduced by Patrick, Falkenstern, Brand, Lanthorn, Jackson, Weeding, Fagg: A bill for an act entitled: "An act to amend Section 26-133, R.C.M., 1947, requiring the fish and game commission to pay taxes on lands it acquires as if the lands were still owned and operated as farms and ranches by private persons." Referred to Committee on Fish and Game.

House Bill No. 429, introduced by Mather, Scott: A bill for an act entitled: "An act to establish uniform construction standards in mobile homes." Referred to Committee on Business and Industry.

House Bill No. 430, introduced by Fagg, Patrick: A bill for an act entitled: "An act to amend Section 75-6323, Revised Codes of Montana, 1947, relating to school extracurricular fund for pupil functions; and providing for an increase in the audit fee to one hundred dollars (\$100.00) per day per man the state examiner may charge, and such audit fee deposited to the general fund of the state." Referred to Committee on Education.

House Bill No. 431, introduced by Fagg, Patrick: A bill for an act entitled: "An act to amend Section 11-1923, providing for an increase in the examination fees the state examiner may charge fire department relief associations." Referred to Committee on Townships and Counties.

House Bill No. 432, introduced by Fagg, Patrick: A bill for an act entitled: "An act to amend Section 5-908, R.C.M., 1947, to provide for fees to be paid by banks, investment companies and trust companies for credit to the general fund, consisting of a four hundred (\$400) supervision fee to be paid on or before June 30 of each year, and an examination fee of twelve cents (12¢) per one thousand (\$1,000) of total assets as of the date of the examination to be paid at the conclusion of the examination; to amend Sections 82-1002, 82-1008, 89-2107, 5-910, R.C.M., 1947, to increase the regular examination charges for counties, cities, towns, county free high schools, school districts, rural fire districts to one hundred dollars (\$100) per day for each person engaged in the examination and to require that all moneys collected be credited to the general fund of the state; to repeal Sections 5-903, 5-904, 5-905, 5-906, 5-907, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 433, introduced by Haines: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M., 1947, authorizing group insurance for employees of the state, counties, cities and towns." Referred to Committee on State Administration.

House Bill No. 434, introduced by Haines: A bill for an act entitled: "An act relating to table wines; providing for wholesaler and retailer licenses; providing a tax on table wines; providing fees for licenses; providing for administration of this act by the Montana Liquor Control Board." Referred to Committee on Ways and Means.

House Bill No. 435, introduced by Harrison, Menahan: A bill for an act entitled: "An act to provide that contributory negligence shall not be a bar to recovery of damages and that the jury may diminish damages; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 436, introduced by Harrison, Menahan: A bill for an act entitled: "An act to amend Section 92-822, R.C.M., 1947, to provide for jury trial upon questions of fact of disability, amount of disability

and question of fact of coverage, and such findings to be binding upon the court." Referred to Committee on Judiciary.

House Bill No. 437, introduced by Mather: A bill for an act entitled: "An act amending Section 93-5010, R.C.M., 1947, providing for peremptory challenges." Referred to Committee on Judiciary.

House Bill No. 438, introduced by Swanberg, Parrish, Fagg, Schoonover, Nelstead, Yardley: A bill for an act entitled: "An act to amend Section 26-104, R.C.M., 1947, giving the fish and game commission the power to regulate motor-driven boats on all public fishing reservoirs, public lakes, rivers and streams." Referred to Committee on Fish and Game.

House Bill No. 439, introduced by Greely, Swanberg, McKittrick, Bennett: A bill for an act entitled: "An act to amend Sections 11-1704, 11-1709, 11-1710, and 11-1711, R.C.M., 1947, to increase the pay of municipal judges and include the Montana rules of civil procedure in the act." Referred to Committee on State Administration.

House Bill No. 440, introduced by Merhens, Menahan, Kosena: A bill for an act entitled: "An act amending Section 4-117, R.C.M., 1947, to provide for a ten per cent (10%) reduction to retail liquor licensees on quantity purchases from Montana state liquor stores." Referred to Committee on Business and Industry.

House Bill No. 441, introduced by Keller: A bill for an act entitled: "An act to amend Section 11-3810, R.C.M., 1947, to change from two (2) to three (3) the number of appointees made by the mayor of a city and eliminating the selection of the ninth (9th) member by the other eight (8) appointed members of the city-county planning board." Referred to Committee on Affairs of Cities.

House Bill No. 442, introduced by Kvaalen, Himsl, Brand: A bill for an act entitled: "A bill to amend Section 80-1906, R.C.M., 1947, by providing for a revolving fund to be administered by the warden known as the 'parole rehabilitation fund'; providing such fund be composed of donations, gifts, and such money appropriated from the general fund; providing for loans to paroled prisoners from such funds." Referred to Committee on State Administration.

Senate Bill No. 9, introduced by Deschamps, Moritz, Flynn, Hibbard, Klindt, Carl, Manning, Bennett, Cochrane, Bertsche, Rostad, Hafferman, Graham, Northey: A bill for an act entitled: "An act to amend Section 32-2144, R.C.M., 1947, to provide a maximum speed limit varying by type of highway." Referred to Committee on Highways.

Senate Bill No. 19, introduced by McGowan, Deschamps: A bill for an act entitled: "An act to extend the time for preparation of preliminary survey for a water conservancy district and amending Section 89-3405, R.C.M., 1947." Referred to Committee on Agriculture.

Senate Bill No. 20, introduced by McGowan, Deschamps: A bill for an act entitled: "An act to extend the time for preparation of feasibility study for a water conservancy district and amending Section 89-3407, R.C.M., 1947." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 23, introduced by Klindt, Northey, Stein, Mitchell, Cotton, Graham and Lowe: A bill for an act entitled: "An act amending Section 26-202.1, R.C.M., 1947, to increase the special license fee for taking grizzly bear from one dollar (\$1) to five dollars (\$5) for residents and from twenty-five dollars (\$25) to thirty-five dollars (\$35) for nonresidents and to require a special license fee of five dollars (\$5) for residents and thirty-five dollars (\$35) for nonresidents for taking black or brown bear." Referred to Committee on Fish and Game.

Senate Bill No. 63, introduced by Drake, Siderius, Klindt, Rosell, McCallum, Bollinger, Hibbard, Northey, Hazelbaker: A bill for an act entitled: "An act to amend Section 11-602, R.C.M., 1947, by removing therefrom authority to waive the park dedication requirement, and substitute therefor the right to accept a cash donation in lieu of said land donation and providing for authority to waive the park requirement for planned unit developments, and providing for governing body approval of all plats or subdivisions and requiring the governing body to establish regulations for development of plats of subdivisions." Referred to Committee on Fish and Game.

Senate Bill No. 78, introduced by Gilfeather, Siderius, Drake, Flynn, Rosell, Sheehy, Dzivi: A bill for an act entitled: "An act amending Sections 14-143, 14-145, 14-148, 14-149, and 14-150, Revised Codes of Montana, 1947, all relating to the Montana Credit Union Act, providing for regulating the organization of credit unions, defining its powers, management duties of the board of directors, officers and committees and the operation, regulation and inspection of credit unions." Referred to Committee on Business and Industry.

Senate Joint Resolution No. 8, introduced by Klindt, Turnage, Bollinger, Lynch, Lyon and Mathers. A resolution of the Senate and House of Representatives of the State of Montana recommending to the Montana constitutional convention that it consider the legalization of bingo when it is operated as entertainment for non-profit or charitable purposes. Referred to Committee on Constitutional Convention.

House Joint Resolution No. 25, introduced by Watt, Burnett. A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the legislative council requesting investigation of the abnormal holding and pricing of land in Montana for housing, commercial and industrial development, and farm and ranch operations; accumulating and making available to the legislative assembly available factual material thereon, and suggesting legislation to discourage investments which have the effect of creating exorbitant land prices. Referred to Committee on Livestock and Ranges.

House Joint Resolution No. 26, introduced by Darrow, Marbut, Watt. A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Montana constitutional convention concerning modernization of the Montana Legislative Assembly. Referred to Committee on Legislative Modernization.

House Joint Resolution No. 27, introduced by Parrish, Forester. A Joint Resolution of the Senate and House of Representatives consenting to the construction of a Fine Arts Center at the University of Montana, Missoula, Montana. Referred to Committee on Long-Range Building.

House Joint Resolution No. 28, introduced by Haines, Worden, Nichols. A Joint Resolution of the Senate and House of Representatives consenting to the construction of a sports complex at Fort Missoula, University of Montana, Missoula, Montana. Referred to Committee on Long-Range Building.

House Joint Resolution No. 29, introduced by Fagg, Yardley. A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the legislative council conduct a study of the feasibility of adopting a no-fault motor vehicle insurance plan and report its findings to the Forty-third Legislative Assembly. Referred to Committee on Judiciary.

House Joint Resolution No. 30, introduced by Baeth, Campbell, Kendall, Johnston, Shelden, Gunderson. A Joint Resolution of the Senate and House of Representatives of the State of Montana endorsing the sustained yield and multiple purpose act and urging the elimination of slash burning except to control disease or insects. Referred to Committee on Judiciary.

House Joint Resolution No. 31, introduced by J. Murphy. A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the legislative council conduct a study of the make up, boundaries and number of judges of the judicial districts of the State of Montana and report its findings, together with recommendations and any necessary implementing legislation to the Forty-third Legislative Assembly. Referred to Committee on Judiciary.

House Resolution No. 3, introduced by Jackson, Brand, Lockwood, Ellerd. A resolution of the House of Representatives of the State of Montana urging the Interstate Commerce Commission to consider the hardship upon the people and the State of Montana when ruling upon the abandonment of rail lines in Montana, and to hold hearings on such matters in the area affected. Referred to Committee on Business and Industry.

House Resolution No. 4, introduced by Fagg, Lockrem, Glennen, Nelstead, Giesick, Darrow, Cox, Towe, Lucas, Forester. A resolution of the House of Representatives directing the legislative assembly to declare Dave McNally an honorary member of the forty-second session.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 54 was passed by the following vote:

Ayes: Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, C. Smith, Snortland, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 87.

Noes: Aber, Burnett, Knudsen, T. Murphy. Total 4.

Absent or not voting: Johnston, J. Murphy, Schoonover, Shelden. Total 4.

Excused: Asbjornson, Aspevig, Gerke, Hall, McGrath, McNamer, Nichols, E. Smith, Spilde. Total 9.

House Bill No. 59 was passed by the following vote:

Ayes: Aber, Ainsworth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harrison, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McKittrick, Mather, Mehrens, T. Murphy, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, C. Smith, Snortland, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 76.

Noes: Anderson, Baeth, Brand, Burnett, Harper, Healy, Hemstad, Lee, Lombardi, Lynch, Marbut, Marks, Menahan, Norman, Perry, Schoonover, Zimmer. Total 17.

Absent or not voting: J. Murphy, Shelden. Total 2.

Excused: Asbjornson, Aspevig, Gerke, Hall, McGrath, McNamer, Nichols, E. Smith, Spilde. Total 9.

House Bill No. 118 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrauld, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Staigmilller, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Giesick, Harrison, Sverdsten, Swan, Ulmer, Wolf. Total 6.

Absent or not voting: J. Murphy. Total 1.

Excused: Asbjornson, Aspevig, Gerke, Hall, McGrath, McNamer, Nichols, E. Smith, Spilde. Total 9.

House Bill No. 127 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrauld, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: None.

Absent or not voting: None.

Excused: Asbjornson, Aspevig, Gerke, Hall, McGrath, McNamer, Nichols, E. Smith, Spilde. Total 9.

House Bill No. 128 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrauld, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: None.

Absent or not voting: None.

Excused: Asbjornson, Aspevig, Gerke, Hall, McGrath, McNamer, Nichols, E. Smith, Spilde. Total 9.

House Joint Resolution No. 7 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fashbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, Snortland, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: T. L. Murphy, Patrick. Total 2.

Excused: Asbjornson, Aspevig, Gerke, Hall, McGrath, McNamer, Nichols, E. B. Smith, Spilde. Total 9.

The Speaker signed in open session Senate Bill No. 1.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Harrison that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed: Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 82 be amended in Section 1, subsection 3, page 4, following line 4 of the original and printed bill, by inserting the following material:

"[(3) Local health officers may be placed in charge of communicable disease hospitals, but local health officers are not required to act as physician to the indigent.]"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

That House Bill No. 175 do pass.

That House Bill No. 228 be moved to the bottom of the list.

That House Bill No. 43 be amended in the title by striking the period on line 9 and inserting the following: "and providing an effective date."

And, as so amended, do pass.

That House Joint Resolution No. 9 be amended in the title by striking out in line 5 and 6 "private and public high schools," and by striking the comma (,) in line 12.

And further amend in BE IT FURTHER RESOLVED by striking out in line 7 and 8, page 2, the words "private and public high schools,"

And, as so amended, do pass.

That House Bill No. 9 do pass.

That House Bill No. 134 do pass.

That House Bill No. 62 do pass.

That House Bill No. 161 do pass.

That House Bill No. 85 be amended in the title, page 1, line 14, following the word "agriculture" by striking the word "and" and inserting the following: " , deleting a representative of agriculture, adding a livestock feeder, a representative from labor, a supervisor of a soil and water conservation district, and a representative of an organization concerned with water recreation."

And, as so amended, do pass.

That House Bill No. 222 be passed for the day.

That House Bill No. 173 do not pass.

That House Bill No. 167 do pass.

That House Bill No. 211 do pass.

That House Bill No. 84 be amended in the title, by striking the period and adding "and providing for an effective date."

And, as so amended, do pass.

That House Bill No. 129 be amended in the title by striking the period and inserting the following: "and providing an effective date."

And, as so amended, do pass.

That House Bill No. 72 be moved to the bottom of the list.

That House Bill No. 213 do pass.

That House Bill No. 215 do pass.

That House Bill No. 216 do pass.

That House Bill No. 217 do pass.

That House Bill No. 214 do pass.

That House Bill No. 107 do pass.

Mather took over at this point to serve as Chairman.

That House Bill No. 185 do pass.

That House Bill No. 34 do pass.

That House Bill No. 162 do pass.

That House Bill No. 228 be passed for the day.

That House Bill No. 72 do pass.

That House Joint Resolution No. 4 do pass.

That House Joint Resolution No. 6 do pass.

That the Committee rise and report.

MATHER, Chairman

Mather moved adoption of the Committee of the Whole report.

As a substitute motion, Forester moved that House Joint Resolution No. 9 be segregated from the Committee of the Whole report and, as so

amended, the report be adopted. A roll call vote was called for with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the substitute motion passed by the following vote:

Ayes: Ainsworth, Bennett, Burnett, Clemow, Cox, Darrow, Dye, East, Eggebrecht, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Healy, Hemstad, Jackson, Keller, Lanthorn, Lien, Lockrem, Lockwood, Lund, Marbut, Marks, Mather, J. E. Murphy, Norman, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. M. Smith, E. B. Smith, Snortland, Sverdsten, Swan, Ulmer, Whitney, Worden, Yardley, Zimmer, Mr. Speaker. Total 46.

Noes: Baeth, Bardanouve, Bradley, Christiansen, Devine, Edland, Fashbender, Fleming, Greely, Hall, Harper, Harrison, Hodges, Johnston, Kendall, Knudsen, Laas, Lee, Lombardi, Lynch, McKittrick, Mehrens, Menahan, T. L. Murphy, Parrish, Quilici, Shelden, Staigmilller, Swanberg, Towe, Watt. Total 31.

Absent or not voting: Aber, Anderson, Brand, Brown, Campbell, Ellerd, Fagg, Gunderson, Himsl, Kolstad, Kosena, Kvaalen, Lundgren, McNamer, Prevost, Robbins, Schoonover, Warfield, Weeding, Wolf, Zody. Total 21.

Excused: Asbjornson, Aspevig, Gerke, McGrath, Nichols, Spilde. Total 6.

The Committee of the Whole report was adopted as amended.

The House stood at ease until 5:15 p.m.

House resumed.

Mr. Speaker in the Chair.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 443, introduced by Ainsworth, Schoonover: A bill for an act entitled: "An act to require surveyors to file survey information vital to property security and to establish uniform filing procedures for plats of tracts of land created under Section 11-614, Revised Codes of Montana, 1947, relating to small and irregular shaped tracts and the preparation and filing of records of survey; fees for filing records of survey; the establishment of rules and regulations for filing records of survey, and providing a separability provision." Referred to Committee on Business and Industry.

House Bill No. 444, introduced by Glennen, Laas: A bill for an act entitled: "An act to amend Section 32-3302.1, R.C.M., 1947, pertaining to alternative licensing fees on truck-trailer combinations; providing that a trailer or semitrailer entering the state and licensed under said section may be moved in the local delivery zone without payment of additional fees." Referred to Committee on Highways.

House Bill No. 445, introduced by Glennen, Lass: A bill for an act entitled: "An act to amend Section 32-1123, R.C.M., 1947, relating to maximum dimensions of motor vehicles; providing for a maximum width for vehicles of one hundred two inches and for a maximum overall length of seventy feet." Referred to Committee on Highways.

House Bill No. 446, introduced by Watt, Marbut: A bill for an act entitled: "An act to amend Sections 75-6207, 75-6208, Revised Codes of Montana, 1947, relating to an increase in the employer contribution to the pension accumulation fund and further relating to an increase in the minimum retirement benefit paid by the Teachers Retirement System." Referred to Committee on State Administration.

House Bill No. 447, introduced by Towe, Brand, Lockwood: A bill for an act entitled: "An act amending Section 53-110, R.C.M., 1947, relating to the filing of liens on a motor vehicle, the procedure and fees therefor, and lien rights on a motor vehicle." Referred to Committee on Judiciary.

House Bill No. 448, introduced by Zimmer, Worden, Nichols: A bill for an act entitled: "An act to amend Section 59-1001, R.C.M., 1947, to change the waiting period required before public employees earn vacation from twelve (12) months to six (6) months, and to amend Section 59-1002 R.C.M., 1947, to provide that accumulated vacation credits cannot exceed thirty (30) working days as of the end of any calendar year." Referred to Committee on State Administration.

House Bill No. 449, introduced by Zimmer, Worden, Nichols: A bill for an act entitled: "An act to amend Section 82-1917 and 82-1918, R.C.M., 1947, relating to the manner of letting contracts for the requisition for supplies and extending the period for which contracts may be made." Referred to Committee on State Administration.

House Bill No. 450, introduced by Marbut, Haines, Cox, Schoonover, Norman, Snortland, Warfield, Olson, Zody: A bill for an act entitled: "An act amending Sections 75-7806 and 75-7816, R.C.M., 1947, to provide for education of mentally retarded to age twenty-five (25)." Referred to Committee on Education.

House Bill No. 451, introduced by Fagg (by request): A bill for an act entitled: "An act providing for personal and property protection motor vehicle insurance with benefits payable without regard to fault; repealing all acts and parts of acts inconsistent herewith; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 452, introduced by Towe, Brown: A bill for an act entitled: "An act to omit the age requirement as qualification for professional licenses or certificates; amending Sections 66-603, 66-803, 66-1027, 66-1506, 66-1819, 66-1820, 66-2204, 66-2502, 66-2708, 66-3103, 93-2001." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 453, introduced by Towe, Brown, Greely: A bill for an act entitled: "An act to change age requirements to eighteen; amending Sections 11-1814, 11-1817, 16-2401, 16-2402, 16-3203, 31-127, 31-128, 31-135, 40-3308, 40-3327, 40-4705, 40-4807, 40-5321, 66-1928, 66-1929, 67-1801, 67-1804, 67-1807, 69-2701, 71-1525, 77-121, 91-1702, 91-3302, 93-9912, R.C.M., 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 454, introduced by J. Murphy by request: A bill for an act entitled: "An act prohibiting the theft of a firearm and prescribing the penalty therefor." Referred to Committee on Judiciary.

House Bill No. 455, introduced by Forester, Warfield, Kendall, Clemow, Fleming, Marks, Lundgren: A bill for an act entitled: "An act relating to the teaching profession, recognizing the right of teachers to join organizations of their choosing, promoting cooperation and discussion between school boards and teachers, establishing collective bargaining procedures, recognizing bargaining representatives, allowing school boards to employ attorneys, providing for probationary status before employment tenure begins, and permitting refusal to rehire unneeded teachers." Referred to Committee on Education.

House Bill No. 456, introduced by Zimmer, Lanthorn, Campbell: A bill for an act entitled: "An act to amend Section 82-1202.1, R.C.M., 1947, providing for licensing of business which manufacture or sell mobile homes and recreational vehicles." Referred to Committee on Fish and Game.

House Bill No. 457, introduced by Christiansen, Laas, Weeding, Giesick, Schoonover, Lund, Kvaalen, Cox, Zimmer, Gunderson, Johnston: A bill

for an act entitled: "An act amending Section 75-8705, R.C.M., 1947, providing for educational opportunity at University System units for Indian students of at least one-quarter ($\frac{1}{4}$) degree Indian blood." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 458, introduced by Selstad, Johnston, Keller, Campbell, Dye: A bill for an act entitled: "An act relating to the additional county-wide levy to cover deficiencies in state equalization aid for the foundation program of the public schools; providing that no tax shall be levied to cover anticipated deficiencies in state equalization aid in the then current fiscal year; further providing that the State Superintendent of Public Instruction shall include in his biennial report full and complete information as to the amount of money available for state equalization aid in the balance of the fiscal year; and providing that, unless the Legislative Assembly appropriates funds sufficient to meet any deficiency in state equalization aid, an additional tax shall be levied by the Board of County Commissioners to cover the same; amending Section 75-6906, R.C.M., 1947, and repealing Section 75-6921, R.C.M., 1947." Referred to Committee on Education.

House Bill No. 459, introduced by Healy, Baeth, Brand, Lee, Lombardi, Quilici Lynch, Mehrens, Christiansen, Kosenka, Harper, Towe, Menahan, Yardley, Johnston, Fasbender: A bill for an act entitled: "An act to amend Section 92-706, R.C.M., 1947, to allow additional time for medical services in proper cases." Referred to Committee on Labor and Compensation.

House Bill No. 460, introduced by Harrison: A bill for an act entitled: "An act to empower the Board of County Commissioners to create a youth center district upon the petition of a certain percentage of the resident landowners of the district: creating a youth center board appointed by the Board of County Commissioners; and providing a three mill levy to finance the district." Referred to Committee on Townships and Counties.

House Bill No. 461, introduced by Forester: A bill for an act entitled: "An act defining the authority of the Regents of the Montana University System relating to those persons described as academic and professional staff." Referred to Committee on Education.

House Bill No. 462, introduced by Forester: A bill for an act entitled: "An act to amend Section 11-1024 by including long term disability insurance and defining how monies may be paid for premiums from state appropriations." Referred to Committee on Business and Industry.

House Bill No. 463, introduced by Shelden, Jackson, Burnett, Gunderson, Kendall: A bill for an act entitled: "An act amending Sections 75-6608 and 75-6905, R.C.M., 1947, relating to the size of an elementary or high school that must be approved as isolated in order to have total participation by the state and county in the financing of its foundation program." Referred to Committee on Education.

House Bill No. 464, introduced by Shelden, Jackson, Burnett, Gunderson, Kendall: A bill for an act entitled: "An act amending Sections 75-6905 and 75-6906, R.C.M., 1947, relating to high school isolation approval under the provisions of Section 75-6608, R.C.M., 1947, for participation in financing of the total foundation program by the state and county." Referred to Committee on Education.

House Bill No. 465, introduced by Lanthorn, Healy, Lee, Fagg, Marbut, Harper, Lombardi, Lynch, Perry, Greely, Towe, Quilici, Brown, Haines, Bennett: A bill for an act entitled: "An act to amend Section 11-1832, R.C.M., 1947, to increase the minimum wage of police in first and second class cities; and, to increase the number of years and percentage of longevity pay." Referred to Committee on Affairs of Cities.

House Bill No. 466, introduced by Brown, Warfield, Lockwood, Ellerd:

A bill for an act entitled: "An act amending Section 75-8511, R.C.M., 1947, by deleting Sections (3) and (4) in their entirety." Referred to Committee on Affairs of Cities.

House Bill No. 467, introduced by Lanthorn: A bill for an act entitled: "An act to amend Section 54-129, R.C.M., 1947, relating to the definition of dangerous drug." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 468, introduced by Shelden, Jackson, Burnett, Gunderson, Kendall: A bill for an act entitled: "An act amending Section 75-6608, R.C.M., 1947, relating to the procedure for the approval of the isolation of an elementary or high school to require the approval of the Superintendent of Public Instruction." Referred to Committee on Education.

House Bill No. 469, introduced by Yardley: A bill for an act entitled: "An act to amend Section 68-501, R.C.M., 1947, relating to the Public Employees' Retirement Board of Administration, to provide that the three (3) board members who are public employees shall be selected by the Governor from a panel of six (6) to be elected by members of the Retirement System." Referred to Committee on State Administration.

House Bill No. 470, introduced by Burnett, Perry, Warfield, Yardley: A bill for an act entitled: "An act amending Sections 79-2302 and 79-2308, R.C.M., 1947, to require at the request of the Legislative Assembly, the legislative auditor to audit all associations, corporations or agencies connected with a public purpose, and creating a new section in Title 79, Chapter 23 numbered 79-2314, R.C.M., 1947, providing audit standards and objectives for associations, corporation or agencies connected with a public purpose and requiring the audit charge to be paid by the association, corporation or agency connected with a public purpose audited." Referred to Committee on State Administration.

House Bill No. 471, introduced by Fagg, Bradley: A bill for an act entitled: "An act requiring a state license and permit for mining exploration activities and requiring a performance bond for reclamation of the landscape following exploration activities; and providing for an appeal procedure." Referred to Committee on Environment and Resources.

House Bill No. 472, introduced by Schoonover, Patrick, Kendall, Burnett: A bill for an act entitled: "An act relating to the redemption of city, town, county and school district bonds; amending Sections 11-2304, 16-2011 and 75-7107, R.C.M., 1947, to provide for such redemption and to eliminate maximum interest rate provisions contained in these sections; and providing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 473, introduced by Bardanouve, Kolstad, East: A bill for an act entitled: "An act to provide a deductible plan of insurance for state buildings and their contents." Referred to Committee on Business and Industry.

House Bill No. 474, introduced by Marbut, Ulmer, Haines: A bill for an act entitled: "An act providing for a state home-owner grant act." Referred to Committee on Ways and Means.

House Bill No. 475, introduced by Cox by request: A bill for an act entitled: "An act relating to elections upon questions which concern or may concern the creation of a public debt or liability and the qualifications of persons petitioning for and voting at such elections; amending Sections 23-2701, 23-2702, 23-2703, 23-3012, 23-4201, 11-2217, 11-2275, 11-2306, 11-2310, 11-2404, 16-2021, 16-2022, 16-2026, and 93-2612, R.C.M., 1947; prescribing a period of limitation upon actions and defenses raising an issue as to such qualifications; and providing an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 476, introduced by Cox, Lucas, Mather, Darrow, Scott,

Nelstead, Forester, Fagg, Towe, Campbell, Giesick, Glennen, Ainsworth, Lockrem, Lanthorn, Bennett, Keller, Selstad: A bill for an act entitled: "An act appropriating four million dollars (\$4,000,000) from the General Fund to the State Board of Health for matching funds to local governments for construction of water pollution control facilities subject to Section 69-4808.1, R.C.M., 1947." Referred to Committee on Appropriations.

House Bill No. 477, introduced by Bardanouve: A bill for an act entitled: "An act to amend Section 93-1304, R.C.M., 1947, exempting from jury duty a person holding a state public office, and deleting the reference to an almshouse." Referred to Committee on Judiciary.

House Bill No. 478, introduced by Towe, J. Murphy: A bill for an act entitled: "An act to amend Section 23-3001, R.C.M., 1947, to require county by county compilation of persons reaching voting age by the Montana Highway Patrol." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 479, introduced by Weeding, Christiansen, Fagg, East: A bill for an act entitled: "An act amending Sections 69-3301, through 69-3307, R.C.M., 1947, to include geological exploration and specifying how "shot holes" and other exploratory holes shall be reclaimed, and transferring the functions and duties of the county clerks and recorders and county attorneys to the Montana Water Resources Board." Referred to Committee on Environment and Resources.

House Bill No. 480, introduced by Greely, Harrison, McKittrick: A bill for an act entitled: "An act providing for the appointment of a Montana Law Enforcement Academy Advisory Council; providing for the administration of this act and adoption of necessary regulations by the Attorney General; providing for compensation of the members of the advisory council; and correcting the code reference to the "Montana University System"; amending Section 75-5203, 75-5205, and 75-5206, R.C.M., 1947, and creating new sections of said codes designated as Sections 75-5205.1 and 75-5205.2." Referred to Committee on Judiciary.

House Bill No. 481, introduced by Bardanouve, Bradley, Brown, Fasbender, Christiansen: A bill for an act entitled: "An act to amend Section 75-5602, R.C.M., 1947, relating to the membership of the Board of Education." Referred to Committee on State Administration.

House Bill No. 482, introduced by Dye, Wolf: A bill for an act entitled: "An act to amend Sections 32-3922, 32-3925, 32-3926, 32-3927 and 32-3929, R.C.M., 1947, enacted as Chapter 212, L. 1969 providing for payment of direct losses of displaced persons resulting from moving, discontinuing a business or farm, payment of expenses in seeking replacement, providing for amounts and limits of payments, providing for matching funds to certain dwellings not eligible under certain provisions of this act and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 483, introduced by Lynch, Lee, Harper, Quilici, Lombardi, Healy, Yardley, Eggebrecht, Fagg, Giesick, Lundgren, Clemow, Dye: A bill for an act entitled: "An act to authorize the county commissioners to establish rules and regulations to control domestic animals." Referred to Committee on Townships and Counties.

House Bill No. 484, introduced by Kvaalen, Nichols, Ulmer, Schoonover, Christiansen: A bill for an act entitled: "An act to provide for the functioning of legislative standing committees during the interims; providing an effective date." Referred to Committee on Legislative Modernization.

House Bill No. 485, introduced by Parrish, Marbut, Zody: A bill for an act entitled: "An act exempting certain private Montana nonprofit corporations from providing a public works contractor's bond and a public bidder's bond; adding Sections 6-405 and 6-502, R.C.M., 1947." Referred to Committee on Business and Industry.

House Bill No. 486, introduced by Selstad: A bill for an act entitled: "An act to amend Section 94-2701, R.C.M., 1947, defining larceny to include leased or rented property which hasn't been returned." Referred to Committee on Judiciary.

House Bill No. 487, introduced by McKittrick, Greely, Devine: A bill for an act entitled: "An act to amend Section 11-2201, R.C.M., 1947, to provide that city or town councils may levy and assess costs of installing and maintaining street lighting along certain streets or public highways upon properties not within the city limits." Referred to Committee on Affairs of Cities.

House Bill No. 488, introduced by Healy, Lockwood, Lee, Lombardi, Kosena, Mehrens, Lynch, Harper, Quilici, Whitney: A bill for an act entitled: "An act providing for the Highway Patrol Board to have eye examinations held in county seats." Referred to Committee on Highways.

House Bill No. 489, introduced by Healy, Marbut, Lombardi, Lee, Haines, Jackson, Cox, Nelstead, Harper, Menahan, Quilici, Lynch: A bill for an act entitled: "An act amending Sections 75-7805 through 75-7807, R.C.M., 1947, to include trainable mentally retarded children." Referred to Committee on Education.

House Bill No. 490, introduced by Laas: A bill for an act entitled: "An act to amend Sections 35-128 and 35-129, R.C.M., 1947, relating to housing authorities; further defining the area of operation of county housing authorities, and clarifying the power of county housing authorities to undertake housing projects and to contract with the federal government upon the approval of the Board of County Commissioners; and to provide an effective date." Referred to Committee on Business and Industry.

House Bill No. 491, introduced by Healy, Quilici, Mehrens, Lee, Menahan, Kosena, Harper, Lombardi, Lynch, Giesick, Clemow: A bill for an act entitled: "An act amending Section 75-7001, R.C.M., 1947, to provide for transportation for school children one and one-half (1½) miles from school." Referred to Committee on Education.

House Bill No. 492, introduced by Healy, Perry, Kosena, Lee, Asbjornson, Brand, Harper, Lombardi, Quilici, Lynch: A bill for an act entitled: "An act to amend Section 84-4107, R.C.M., 1947, relating to the issuance of a receipt for payment of taxes by the county treasurer." Referred to Committee on Townships and Counties.

House Bill No. 493, introduced by Selstad, Gunderson: A bill for an act entitled: "An act authorizing the Fish and Game Commission to establish checking stations and requiring hunters and fishermen to stop at such stations and report game in their possession." Referred to Committee on Fish and Game.

House Bill No. 494, introduced by J. Murphy, Zimmer: A bill for an act entitled: "An act to amend Section 4-403, R.C.M., 1947, relating to the issuance of retail liquor licenses; defining the terms, hotel, motel and lodge; providing for limited retail liquor licenses to hotels, motels and lodges; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 495, introduced by J. Murphy, Zimmer: A bill for an act entitled: "An act to amend Section 4-333, R.C.M., 1947, relating to the issuance of retail beer licenses, limiting the number of off-premises beer licenses, lapse and cancellation of the same; defining the terms hotel, motel and lodge; providing for limited retail beer licenses to hotels, motels and lodges; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 496, introduced by Towe, Nelstead, Fasbender, Norman, Cox: A bill for an act entitled: "An act to amend Section 75-6303, R.C.M.,

1947, to allow a judge of a district court to excuse a child from compulsory school attendance if he deems it in the best interest of the child." Referred to Committee on Judiciary.

House Bill No. 497, introduced by Towe, Nelstead, Norman: A bill for an act entitled: "An act providing for non-profit organizations to establish district youth guidance homes for delinquent and other children; providing for committal of juvenile delinquents and other juveniles to district youth guidance homes; providing authority to Department of Institutions to make rules and regulations for the operation of such homes." Referred to Committee on Judiciary.

House Bill No. 498, introduced by Towe, Nelstead, Fasbender, Norman, Cox: A bill for an act entitled: "An act to amend Section 93-701-4, R.C.M., 1947, by providing for the creation of a confidential relationship between student and school personnel." Referred to Committee on Judiciary.

House Bill No. 499, introduced by Towe, Norman, Mather, Parrish: A bill for an act entitled: "An act amending Section 10-622, R.C.M., 1947, relating to appointment, removal, salaries and qualifications of probation officers." Referred to Committee on State Administration.

House Bill No. 500, introduced by Fagg (by request): A bill for an act entitled: "An act providing for visual control by ecological standards of stream banks and lake shores, clearance of detrimental conditions, designation of streams and setting of standards of development." Referred to Committee on Environment and Resources.

House Bill No. 501, introduced by Fagg: A bill for an act entitled: "An act to convert overhead existing electrical and communication facilities to underground; and to provide for future electrical and communication facilities to be placed underground." Referred to Committee on Affairs of Cities.

House Bill No. 502, introduced by Towe, T. L. Murphy: A bill for an act entitled: "An act to reapportion the House of Representatives and the Senate of the Montana Legislature to provide for eighty (80) single-member legislative districts and forty (40) single-member Senate districts, and providing that electors in a Senate district may choose to elect two (2) House members-at-large." Referred to Committee on Reapportionment.

House Bill No. 503, introduced by Towe, Bennett: A bill for an act entitled: "An act pertaining to commitment of mentally ill persons and repealing Section 38-201, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 504, introduced by Towe, Nelstead: A bill for an act entitled: "An act to amend Section 25-604, R.C.M., 1947, to omit the establishing of minimum salaries for undersheriffs and deputy sheriffs." Referred to Committee on Townships and Counties.

House Bill No. 505, introduced by Lucas, East, Nelstead, Glennen, Lombardi, Lee, Baeth, Edland, Clemow, J. Murphy, Marbut, Sverdsten: A bill for an act entitled: "An act to amend Section 87-103, R.C.M., 1947, which section is a part of the Unemployment Compensation Law, by providing for the weekly benefit amount to equal one twenty-sixth (1/26) of the high-quarter earnings; fixing the minimum weekly benefit amount at \$12; increasing the maximum weekly benefit amount to \$47; establishing effective dates; increasing the maximum weekly benefit amount to \$52 effective January 1, 1972; adjusting the minimum qualifying wage for individuals with high-quarter wages in excess of wages necessary to qualify for the maximum weekly benefit amount; deleting unnecessary language." Referred to Committee on Labor and Compensation.

House Bill No. 506, introduced by Campbell, Brand, Knudsen, Schoonover, Giesick: A bill for an act entitled: "An act relating to the termina-

tion of services of non-tenure teachers and providing for a hearing before the board of trustees." Referred to Committee on Education.

House Bill No. 507, introduced by Towe: A bill for an act entitled: "An act to secure citizens a right of action to protect the natural resources of the state and to insure enforcement of regulations to protect the natural environment." Referred to Committee on Judiciary.

House Bill No. 508, introduced by Brand, Healy, Warfield, Himsl, Campbell, Lund: A bill for an act entitled: "An act amending Section 72-143, R.C.M., 1947, providing that the Board of Railroad Commissioners provide a copy of the annual report to be mailed to the Secretary of the Department of Transportation; amending Section 72-150, R.C.M., 1947, providing that the rules and regulations of the board regarding equipment of cars, trains, engines, health and sanitation be co-extensive with the provisions of the Department of Transportation; amending Section 72-151, R.C.M., 1947, providing that the rules and regulations of the board concerning examination, inspection and repair of brake equipment be co-extensive with the requirements of the Department of Transportation; amending Section 72-220, R.C.M., 1947, providing that the president or other officer of any railroad operating a line within the State of Montana provide a copy of the annual report to the Board of Railroad Commissioners, ex officio Public Service Commission of the State of Montana." Referred to Committee on State Administration.

House Bill No. 509, introduced by Menahan, by request: A bill for an act entitled: "An act to amend Sections 9-209 and 9-209.3, R.C.M., 1947, pertaining to budget and tax levy of the Board of Cemetery Trustees." Referred to Committee on Townships and Counties.

House Bill No. 510, introduced by Johnston, Baeth, Kendall: A bill for an act entitled: "An act to require public liability and property damage insurance in certain circumstances in credit transactions involving motor vehicles." Referred to Committee on Judiciary.

House Bill No. 511, introduced by Johnston, Baeth, Brand: A bill for an act entitled: "An act to eliminate discrimination against children or against the bearing of children in dwelling houses." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 512, introduced by Harrison, Scott: A bill for an act entitled: "An act amending Section 53-422, R.C.M., 1947, to increase the minimum proof of financial responsibility from ten thousand dollars (\$10,000.00) to twenty-five thousand dollars (\$25,000.00) because of bodily injury or death of one person in any one accident, and to increase from twenty thousand dollars (\$20,000.00) to fifty thousand dollars (\$50,000.00) the amount required for bodily injury or death of two (2) or more persons in any one accident." Referred to Committee on Judiciary.

House Bill No. 513, introduced by Knudsen, Burnett, Sverdsten: A bill for an act entitled: "An act to require every newspaper published at leave five (5) times per week to aid in the collection and disposal or recycling of solid wastes in the communities in which they are published." Referred to Committee on Environment and Resources.

House Bill No. 514, introduced by Harrison, Scott: A bill for an act entitled: "An act amending Section 53-432, R.C.M., 1947, to increase the satisfaction of judgment from the sum of ten thousand dollars (\$10,000.00) to the sum of twenty-five thousand dollars (\$25,000.00) when the same has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as a result of any one accident, and to increase the amount from the sum of twenty thousand dollars (\$20,000.00) to fifty thousand dollars (\$50,000.00) when the same has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one accident." Referred to Committee on Judiciary.

House Bill No. 515, introduced by Giesick: A bill for an act entitled: "An act relating to legal jeopardy; to provide that no person shall be placed in legal jeopardy for acts of self defense or in aid of another in certain cases; to provide for indemnification or reimbursement; providing an effective date." Referred to Committee on Judiciary.

House Bill No. 516, introduced by Harrison, Scott: A bill for an act entitled: "An act amending Section 53-438, R.C.M., 1947, to increase the minimum proof of financial responsibility from ten thousand dollars (\$10,000.00) to twenty-five thousand dollars (\$25,000.00) because of bodily injury to or death of one person in any one accident, and to increase from twenty thousand dollars (\$20,000.00) to fifty thousand dollars (\$50,000.00) the amount required for bodily injury to or death of two (2) or more persons in any one accident." Referred to Committee on Judiciary.

House Bill No. 517, introduced by Yardley: A bill for an act entitled: "An act amending Section 75-6503, R.C.M., 1947, to reduce the population classification of first (1st) class elementary districts from eight thousand (8,000) to six thousand five hundred (6,500)." Referred to Committee on Education.

House Bill No. 518, introduced by Dye, Aspevig: A bill for an act entitled: "An act providing simplified administration procedures in the taxation of aviation gasoline for allocation to the Aeronautics Commission by subjecting such gasoline to a one cent per gallon tax rather than the present seven cents and by allowing no deduction, refund, or exemption from the tax; deleting aviation gasoline from those provisions of the Gasoline License Tax Laws which provide evaporation allowances and credit refunds; providing a definition of 'aviation dealer'; providing a new section numbered 84-1855.1, R.C.M., 1947, imposing a penalty; amending Sections 84-1846, 84-1847, 84-1849, 84-1851, 84-1853, and 84-1855, R.C.M., 1947; repealing Section 84-1848, R.C.M., 1947, pertaining to aviation gasoline tax exemption certificates." Referred to Committee on Ways and Means.

House Bill No. 519, introduced by Fagg, Marbut, Burnett, Weeding, Edland, Forester, Knudsen: A bill for an act entitled: "An act to require all airports to have the name of the airport either on the runways or on the hangars." Referred to Committee on State Administration.

House Bill No. 520, introduced by Warfield: A bill for an act entitled: "An act amending Sections 23-3201, 23-3202, 23-3203, 23-3204, and 23-3206, R.C.M., 1947, to include election clerks similar to the appointment and instruction of election judges." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 521, introduced by Swanberg, Greely, Devine: A bill for an act entitled: "An act to amend Sections 11-2245, 11-2246, 11-2251 and 11-2252, R.C.M., 1947, to provide that one hundred percent (100%) of all charges for the installation, maintenance and electrical current for street lights installed under special improvement lighting districts may be assessed against the property embraced within said special improvement lighting district, leaving the discretion to assess a lesser amount resting with the city or town council." Referred to Committee on Affairs of Cities.

House Bill No. 522, introduced by Christiansen, Fasbender, Bardanoue: A bill for an act entitled: "An act to submit to the qualified electors of Montana at the November, 1972 general election the question of whether or not a sales tax should be levied by the legislature for the purpose of partially financing public expenditures." Referred to Committee on Ways and Means.

House Bill No. 523, introduced by Brand: A bill for an act entitled: "An act repealing Chapter 377, Laws of 1969, relating to the issuance and

sale of bonds for the purpose of acquiring a site for and erecting and equipping a State Highway Commission Headquarters Building and Complex." Referred to Committee on State Administration.

House Bill No. 524, introduced by Marbut, Fasbender, Bardanouve, Darrow, Himsl, Watts, Kvaalen, Lucas: A bill for an act entitled: "An act amending Sections 43-709, 43-714 and 43-715, R.C.M., 1947, involving the composition of members, expenses, and organization of the Legislative Council." Referred to Committee on Legislative Modernization.

House Bill No. 525, introduced by Bardanouve, Watt, Darrow, Fasbender: A bill for an act entitled: "An act creating an interim committee on finance, an interim committee on taxation, an interim committee on local government, an interim committee on education, a interim committee on public health and welfare, an interim committee on state administration, an interim committee on environment and resources, and an interim committee on legislative modernization; specifying an immediate effective date." Referred to Committee on Legislative Modernization.

House Bill No. 526, introduced by Fasbender, Himsl, Marbut, Bardanouve, Darrow: A bill for an act entitled: "An act to submit to the qualified electors of Montana amendments to Sections 5 and 6, Article V of the Constitution of Montana providing for longer legislative sessions, making the Legislative Assembly a continuous body, etc." Referred to Committee on Legislative Modernization.

House Bill No. 527, introduced by Marbut, Fasbender, Bardanouve, Darrow: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 5, Article V of the Constitution of Montana providing for seventy (70) day sessions of the Legislative Assembly; an amendment to Section 6, Article V of the Constitution of Montana providing for annual sessions of the Legislative Assembly, granting the Legislature power to call itself into session to consider any subject it deems necessary and deleting obsolete language." Referred to Committee on Legislative Modernization.

House Bill No. 528, introduced by Marbut, Darrow, Fasbender, Watt, Himsl, Bardanouve: A bill for an act entitled: "An act to amend Section 43-310, R.C.M., 1947, providing for per diem and expenses of members of the Legislative Assembly." Referred to Committee on Legislative Modernization.

House Bill No. 529, introduced by Darrow, Marbut, Fasbender, Watt: A bill for an act entitled: "An act providing seventy-five dollars per month compensation for members of the Legislative Assembly to be used in defraying expenses incurred for maintaining the office of the legislator when the Legislature is not in session." Referred to Committee on Legislative Modernization.

House Bill No. 530, introduced by Giesick, Forester, Lockrem, Lundgren: A bill for an act entitled: "An act pertaining to assessment of agricultural lands; providing for procedure, defining agricultural lands, establishing a penalty; and amending Section 84-401, R.C.M., 1947, to except agricultural land from the provision requiring land to be assessed at its full cash value." Referred to Committee on Ways and Means.

House Bill No. 531, introduced by Giesick, Towe: A bill for an act entitled: "An act replacing Chapter 14, Title 41, R.C.M., 1947, concerning the regulation of private employment agencies including provision for penalties for the violation of such regulations." Referred to Committee on Business and Industry.

House Bill No. 532, introduced by Lucas, by request: A bill for an act entitled: "An act to provide that all retirement income to disabled members of the armed forces of the United States not in excess of one thou-

sand dollars (\$1,000.00) shall be exempt from Montana income tax; and amending Section 84-4905, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 533, introduced by T. L. Murphy, Brand, Fagg, Zody, Marks, Jackson: A bill for an act entitled: "An act to amend Sections 68-708 and 68-709, R.C.M., 1947, relating to the Public Employees' Retirement System, to provide that interest be paid on contributions withdrawn from the Public Employees' Retirement System by employees with more than five (5) years continuous service; and that redeposits made by employees include all interest withdrawn." Referred to Committee on State Administration.

House Bill No. 534, introduced by Christiansen, Weeding, Bardanouve, Knudsen, Lien, Edland, Hall, Eggebrecht, Zody, Lund, E. Smith, Ulmer, East: A bill for an act entitled: "An act authorizing the formation of wholesale electric energy districts as agencies and instrumentalities of the State of Montana to develop for and on behalf of the state natural resources of the state; to maintain in the state a continuous and adequate supply of electrical power and energy at the lowest possible cost through the construction and operation of electric generation and associated transmission facilities; to furnish electrical power and energy to other electric utilities at wholesale only and not at retail; providing that wholesale electric energy districts shall be formed for public purposes and be deemed to be exercising an essential governmental function; defining terms; specifying the requirements of and procedure for the organization of wholesale electric energy districts and establishment of the boundaries thereof; defining the powers and duties of wholesale electric energy districts and their boards of directors and providing for the manner of such directors' appointment and specifying their qualifications; specifying that wholesale electric energy districts shall not have the power to levy taxes nor to pledge the credit of the state or any political subdivision thereof; granting districts the authority to issue revenue bonds or notes and authorizing the pledging of the revenues from the systems or plants of such districts and the creation of liens upon the property or such districts to secure their repayment; providing the method and procedure for the issuance and sale of such bonds or notes; providing for the appointment of a trustee for the administration and operation of the systems or plants of such districts in the event of a default in any payment upon any said bonds or notes; establishing an advisory committee and designating the qualifications of the members thereof; permitting the interconnection of the lines of a district's system or systems with other systems within or without the district or state, public or private, and to enter into contracts with such other systems; authorizing the exercise of the right of eminent domain and providing the procedure therefor; granting the board of directors the right to adopt and enforce bylaws, rules and regulations and to establish, levy and collect rates and charges for its services and for the sale of electrical power; providing a covenant of the State of Montana not to impair the power of a district to maintain its operation so long as its bonds or notes are outstanding; specifying that the property of a district, the bonds or notes issued thereby, and the income therefrom shall be exempt from taxation within the State of Montana; providing that districts pay two percent (2%) of gross revenue in lieu of taxes; requiring a district to make annual reports to the Montana Public Service Commission and to its patrons; providing that the Montana Public Service Commission shall have no jurisdiction over districts organized under this act or over their rates, charges or operations; requiring a district to conform to safety rules and regulations; providing for the transfer to the state of all property and assets held by a district upon termination of its corporate existence; and establishing the severability of the provisions of the act." Referred to Committee on Business and Industry.

House Bill No. 535, introduced by Fasbender, Hall: A bill for an act entitled: "An act requiring security for payment of labor claims in con-

tract work except personal services; providing such security shall be mandatory where the contract amount is five hundred dollars (\$500) or more and providing for alternative liability where such security is not furnished; providing for notice of claims and recovery to include attorney fees; and providing the remedy created shall not prejudice other available remedies." Referred to Committee on Judiciary.

House Bill No. 536, introduced by Hall: A bill for an act entitled: "An act to revise powers of attorney, providing that a power of attorney is not affected by disability when so provided; providing that a power of attorney is not revoked by death, disability or incompetence of the principal until the agent has notice of the same, amending Section 2-305, R.C.M., 1947, and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 537, introduced by Hall: A bill for an act entitled: "An act to extend a contractual right to attorney fees granted to one party to a contract to the prevailing party in any lawsuit on such contract whether or not the contract expressly provides for such fees as to such prevailing party." Referred to Committee on Judiciary.

House Bill No. 538, introduced by Hall: A bill for an act entitled: "An act to amend Section 92-204, R.C.M., 1947, by deleting the words 'intentional and malicious' therefrom and substituting therefor the words 'grossly negligent'." Referred to Committee on Judiciary.

House Bill No. 539, introduced by Hall: A bill for an act entitled: "An act to revise the laws relating to guardianship by creating a conservator and defining the powers of guardians of minors, guardians of incapacitated persons and conservators, providing that a guardian for an incapacitated person may be appointed by will by the parent or spouse of such person, amending Sections 91-3101, 91-3212, 91-3508, 91-3514, 91-4302, 91-4319, and 91-4515, R.C.M., 1947, repealing Sections 91-4320, 91-4501 to 91-4511, inclusive, 91-4514, 91-4516 to 91-4526, inclusive, 91-4601 to 91-4611, inclusive, 91-4701 to 91-4706, inclusive, 91-4801 to 91-4817, inclusive, 91-4819 to 91-4822, inclusive, 91-4901 to 91-4911, inclusive, 91-5001 to 91-5016, inclusive, 91-5101 to 91-5111, inclusive, 91-5201 to 91-5211, inclusive, and 93-6302, R.C.M., 1947, and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 540, introduced by Anderson, Jackson, Snortland, Parrish, Weeding, Johnson, E. Smith: A bill for an act entitled: "An act providing for the power of eminent domain for conservation districts; generally revising Title 76; and amending Sections 76-101, 76-103 through 76-111, 76-114, 76-115, 76-117, 76-201, 76-208 through 76-210, 76-222 through 76-226, and 76-229, R.C.M., 1947." Referred to Committee on Judiciary.

House Bill No. 541, introduced by Scott, Bennett: A bill for an act entitled: "An act amending Section 11-4101 of the Revised Codes of Montana, 1947, pertaining to industrial development projects; including among such projects commercial enterprises." Referred to Committee on Business and Industry.

House Bill No. 542, introduced by Bennett, Worden, Giesick, Campbell, Lockwood: A bill for an act entitled: "An act to amend Section 84-202, R.C.M., 1947, to provide for a special tax to be used exclusively for the support of police departments and fire departments in cities, towns, and county fire districts, to be levied against all tax-exempt property except the property of the United States, the state, counties, cities, towns, school districts, municipal corporation, public libraries, and places of actual religious worship; providing for the levy of said special tax at the time and in the same manner as the annual levy of general taxes, and providing for the amount of said tax to be determined in the same proportion as the amount of taxes in support of police and fire departments levied against the ordinary taxable property of said city, town, or county fire district." Referred to Committee on Affairs of Cities.

House Bill No. 543, introduced by Snortland: A bill for an act entitled: "An act to repeal Sections 27-201 through 27-212, R.C.M., 1947, known as 'The Montana Insecticide, Fungicide and Rodenticide Act of 1947'." Referred to Committee on Agriculture and Irrigation.

House Bill No. 544, introduced by Perry, Eggebrecht, Lee, Harper, Mehrens, Lombardi: A bill for an act entitled: "An act to make any big game license valid until the animal is taken to fill the license." Referred to Committee on Fish and Game.

House Bill No. 545, introduced by Perry: A bill for an act entitled: "An act to prohibit public utilities whose rates are set by the Public Service Commission from selling retail appliances and goods and from engaging in the supply and/or installation of gas or electrical appliances." Referred to Committee on Business and Industry.

House Bill No. 546, introduced by Watt: A bill for an act entitled: "An act to fix different taxable valuations on land and on the improvements on land and amending Sections 84-301 and 84-302, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 547, introduced by Dye, Ulmer, Christiansen, Fasbender, Lucas: A bill for an act entitled: "An act to provide for implementation of personnel classification and salary plans in the State Highway Commission and for appropriating the necessary funds." Referred to Committee on Highways.

House Bill No. 548, introduced by Bardanouve: A bill for an act entitled: "An act authorizing the Department of Fish and Game to regulate the use of land adjacent to recreational waterways." Referred to Committee on Fish and Game.

House Bill No. 549, introduced by Weeding, C. Smith, Anderson, Jackson: A bill for an act entitled: "An act providing for a mandatory questionnaire for game hunters, and providing for a land use fee to be paid to counties by big game hunters." Referred to Committee on Fish and Game.

House Bill No. 550, introduced by Ainsworth, by request: A bill for an act entitled: "An act relating to assessment on motor vehicles, mobile homes, livestock, new improvements and building constructed for family dwelling purposes and repealing Section 84-406, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 551, introduced by Campbell: A bill for an act entitled: "An act amending Section 75-8702, R.C.M., 1947, by deleting part-time student from the definition of resident student, amending Section 75-8703, R.C.M., 1947, to allow the spouse or dependent children of an adult employed on a full-time basis within the State of Montana to apply for in-state tuition classification and amending Section 75-8704, R.C.M., 1947, to create a presumption: all sections being part of Senate Bill 2 of the Forty-second Session Laws of Montana." Referred to Committee on Education.

House Bill No. 552, introduced by The Reapportionment Committee (by request): A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947." Referred to Committee on Reapportionment.

House Bill No. 553, introduced by Fasbender, Gunderson: A bill for an act entitled: "An act to provide a voluntary consolidation and annexation incentive plan for school districts and providing an effective date." Referred to Committee on Education.

House Bill No. 554, introduced by Bradley, upon request: A bill for an

act entitled: "An act providing for abortion in the State of Montana and further providing the conditions under which an abortion may be performed and providing penalties; repealing Sections 94-401 and 94-402, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 555, introduced by E. Smith, Burnett: A bill for an act entitled: "An act to regulate the placing of caged fish in public waters and provide the Fish and Game Commission with authority to regulate." Referred to Committee on Fish and Game.

House Bill No. 556, introduced by Lucas, Nelstead, Swanberg, Kosena, Quilici, Campbell, Harrison: A bill for an act entitled: "An act to require all units of the Montana University System and all private colleges and private universities granting any degree in education to establish a course in drug and alcohol education and abuse; to require that graduates in education shall successfully complete a course in drug and alcohol education and abuse; and to require all junior high schools and high schools in Montana to teach courses in drug and alcohol abuse to their students." Referred to Committee on Education.

House Bill No. 557, introduced by Towe, Harper, Quilici: A bill for an act entitled: "An act relating to public utilities, amending Section 70-103, Revised Codes of Montana, 1947, to include hospitals within the definition of public utility; providing that rates and charges be subject to Public Service Commission regulation; reserving licensure and supervision to the State Board of Health; repealing conflicting acts; providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 558, introduced by E. Smith, Perry, Wolf, Aber, Burnett, Whitney: A bill for an act entitled: "An act to amend Section 94-35-269, R.C.M., 1947, to include the hunting of all wildlife in the prohibition of careless or reckless acts while hunting." Referred to Committee on Fish and Game.

House Bill No. 559, introduced by E. Smith, Selstad, Swan, Anderson, Burnett: A bill for an act entitled: "An act providing for an assessment on fertilizer to produce funds for the Montana Cooperative Extension Service and the Montana Agricultural Experiment Station of Montana State University, Bozeman, for a statewide fertilizer and related soil management program of education and research correlated with soil testing." Referred to Committee on Agriculture and Irrigation.

House Bill No. 560, introduced by Education Committee by request: A bill for an act entitled: "An act authorizing the Regents to impose matriculation fees on students at units of the Montana University System." Referred to Committee on Education.

House Bill No. 561, introduced by Education Committee by request: A bill for an act entitled: "An act to repeal subsection (1) of Section 75-8601 of Senate Bill 2 of the 42nd Session Laws of Montana." Referred to Committee on Education.

House Bill No. 562, introduced by Warfield: A bill for an act entitled: "An act related to the school transportation reimbursement rate schedules; providing an increase of the bus per mile reimbursement schedules; amending Section 75-7018, R.C.M., 1947." Referred to Committee on Education.

House Bill No. 563, introduced by Warfield: A bill for an act entitled: "An act to amend Section 75-7019, R.C.M., 1947, relating to the procedure for determining the maximum reimbursement for individual transportation and relating to the rates of such reimbursement." Referred to Committee on Education.

House Bill No. 564, introduced by Warfield: A bill for an act entitled: "An act relating to the definition of the School Foundation Program; amending Section 75-6906." Referred to Committee on Education.

House Bill No. 565, introduced by Ulmer, Watts: A bill for an act entitled: "An act to provide for the allowance of a credit upon the amount of property taxes assessed to the owners and occupants of residential property by reason of such ownership, at the rate of twenty per cent of such tax, subject to a maximum credit allowance of one hundred twenty-five dollars per year; providing that the total amount of the credits allowed in each county shall be reimbursed by payments to the various county treasurers out of the general fund of the State of Montana; providing for the administration thereof, and for penalties in case of violation." Referred to Committee on Ways and Means.

House Bill No. 566, introduced by Fleming, Johnston, Kendall, T. L. Murphy, Staigmiller: A bill for an act entitled: "An act amending Section 90-201, R.C.M., 1947, relating to the definitions of grades of apples." Referred to Committee on Agriculture and Irrigation.

House Bill No. 567, introduced by Knudsen, Eggebrecht: A bill for an act entitled: "An act amending Section 66-1930, R.C.M., 1947, providing that the Real Estate Commission shall establish a passing grade for their license examination." Referred to Committee on State Administration.

House Bill No. 568, introduced by Bennett, Forester: A bill for an act entitled: "Control of parking and traffic on University grounds." Referred to Committee on Education.

House Bill No. 569, introduced by Hall, Watt, Cox: A bill for an act entitled: "An act to make the provisions for cities in the Housing Authority Act conform with those for counties by amending Sections 35-104 and 35-109, R.C.M., 1947." Referred to Committee on Affairs of Cities.

House Bill No. 570, introduced by Cox, Christiansen, Nelstead, Brown, Warfield, Norman, Parrish, Olson, Hall: A bill for an act entitled: "An act extending the authority of the Western Interstate Commission for Higher Education including the placement of Montana students in schools outside the WICHE region and for related proposals." Referred to Committee on Education.

House Bill No. 571, introduced by Bardanoue: A bill for an act entitled: "An act to provide a committee with the power to review a judge and pass on his fitness to serve." Referred to Committee on Judiciary.

House Bill No. 572, introduced by Bardanoue: A bill for an act entitled: "An act to amend Section 79-1202, R.C.M., 1947, relating to the investment of surplus treasury cash by providing that the State Board of Land Commissioners determine the existence of surplus treasury cash; repealing Sections 79-303 and 79-304, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 573, introduced by Bardanoue: A bill for an act entitled: "An act to amend Sections 93-701, 93-702, 93-704, R.C.M., 1947, relating to the qualifications of judicial officers." Referred to Committee on Judiciary.

House Bill No. 574, introduced by Bardanoue: A bill for an act entitled: "An act appropriating moneys for the biennium ending June 30, 1973, to the Department of Health for a state temporary mosquito abatement advisory council and vector specialist." Referred to Committee on Appropriations.

House Joint Resolution No. 32, introduced by Jackson, Darrow, Weed: A Joint Resolution of the Senate and the House of Representatives urging the Constitutional Convention to amend Section 1 and Section 2, Article XVII, of the Montana Constitution, providing the Board of Land Commissioners authority to classify lands into multiple-use classifications and to change these classifications from time to time as the board may deem necessary. Referred to Committee on Education.

House Joint Resolution No. 33, introduced by Knudsen, Ainsworth, Harper, Ellerd, Prevost: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to soap and detergent manufacturers, the Environmental Protection Agency, and the Montana Department of Health, urging increased research toward finding a substitute for phosphate in detergents. Referred to Committee on Education.

House Joint Resolution No. 34, introduced by Knudsen, Lund: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Congress of the United States, the Montana Congressional delegation, and the United States Army Corps of Engineers, urging greater cooperation and consideration by the Corps of Engineers for the fish and wildlife resources of Montana, and urging intensified efforts to improve the aquatic environment of Fort Peck Reservoir. Referred to Committee on Fish and Game.

House Joint Resolution No. 35, introduced by Healy, Kosena, Lynch, Lee, Brand, Quilici, Mehrens, Harper, Lombardi, Menahan, T. L. Murphy, Forester: A Joint Resolution of the Senate and House of Representatives consenting to the pre-planning of a physical education building at the Montana College of Mineral Science and Technology, Butte, Montana. Referred to Committee on Education.

House Joint Resolution No. 36, introduced by Healy, Lee, Lynch, Quilici, Brand, Kosena, Mehrens, Harper, Lombardi, Menahan, T. L. Murphy, Forester: A Joint Resolution of the Senate and House of Representatives consenting to the pre-planning of a health center at the Montana College of Mineral Science and Technology, Butte, Montana. Referred to Committee on Education.

House Joint Resolution No. 37, introduced by Healy, Lee, Lynch, Quilici, Brand, Kosena, Mehrens, Harper, Lombardi, T. L. Murphy, Forester: A Joint Resolution of the Senate and House of Representatives consenting to the construction of a petroleum and engineering science building at the Montana College of Mineral Science and Technology, Butte, Montana. Referred to Committee on Education.

House Joint Resolution No. 38, introduced by Cox, Lucas, Mather, Darrow, Nelstead, Towe, Forester, Fagg, Glennen, Lockrem, Campbell, Greely, Devine, Robbins, Bradley: A Joint Resolution of the Senate and House of Representatives requesting the Legislative Council to study the feasibility of home rule for municipalities and to make recommendations to the Forty-third Legislative Assembly. Referred to Committee on Affairs of Cities.

House Joint Resolution No. 39, introduced by Brown, Burnett, Fleming, Yardley, Lockrem, Perry, Patrick: A Joint Resolution of the House of Representatives and the Senate instructing the Legislative Council to investigate and explore tenure policies in the Montana University System for the purpose of making recommendations regarding college tenure to the Forty-third Legislative Assembly. Referred to Committee on Education.

House Joint Resolution No. 40, introduced by Dye, Swan, Ellerd, Schoonover, Lockwood, Worden, Jackson, Robbins, Gunderson, Weeding: A Joint Resolution of the Senate and House of Representatives consenting to the construction, improvement and equipment of physical education, athletic and recreational facilities at Montana State University. Referred to Committee on Education.

House Joint Resolution No. 41, introduced by Jackson, Anderson, Weeding, Darrow, Christiansen, Brand, T. L. Murphy, Parrish, Sverdsten, Lockwood, Nelstead, Snortland, Selstad, Bradley, Schoonover, Shelden, C. Smith, Kosena, Quilici, Lee, Staigmilller, Spilde, Dye, Worden, Clemow, Swan, Gunderson, Devine, Bardanouve, Mather, Baeth, Yardley, Towe, Brown, Marks, Zody, Kendall, Lund: A Joint Resolution of the Senate and House of Representatives urging that all state and federal agencies and private

organizations concerned with the management of Montana's rangelands cooperate in the implementation of the Montana Rangeland Resource Program of the Montana State Soil Conservation Committee. Referred to Committee on Environment and Resources.

House Joint Resolution No. 42, introduced by Fagg, Darrow: A Joint Resolution of the Senate and House of Representatives directing the forthcoming Constitutional Convention to enumerate in the new constitution the rights of the people to clean air, pure water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment. Referred to Committee on Environment and Resources.

House Joint Resolution No. 43, introduced by Kolstad, Snortland, Robbins, Christiansen, Schoonover, Fleming, Lundgren, Brown, Ulmer, Devine, Anderson, Edland, J. Murphy, Mather, Laas: A Joint Resolution of the Senate and House of Representatives directed to the State Department of Planning and Economic Development reemphasizing the need for rational solutions to the pollution problems of Montana. Referred to Committee on Environment and Resources.

House Joint Resolution No. 44, introduced by Lund, Keller, Schoonover, Cox: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directed to the Honorable Richard M. Nixon, President of the United States of America, the Honorable Melvin Laird, Secretary of Defense, the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, and the Director of Selective Service urging fair and equitable administration of the Selective Service Act and a review of national policy, and priorities under the intent of the Selective Service Act. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 45, introduced by Gunderson, E. Smith, Johnston, Giesick, Christiansen, Bardanouve, Kolstad, Eggebrecht, Greely, Fasbender, Laas, Staigmilller, Anderson, Devine, Snortland, Robbins, Lien, McKittrick, Edland, Kvaalen, Fitzgarrald, Wolf, Kendall, T. L. Murphy, Jackson, Parrish, Swan, Aber, Falkenstern, Whitney, Hemstad, Marks, Perry, Mehrens, Lombardi, Healy, Zody, Baeth, Cox, Prevost, Fagg, Weeding, Sverdsten, Fleming, Haines, Brand, Norman, Zimmer, Burnett, Mather, Harrison, Aspevig, Bradley, Schoonover, Swanberg, Hodges, Clemow, Himsl, Lundgren, Forester, Selstad, Keller, Lockrem, Towe, Yardley, Harper, Lynch, Quilici, Watt, Lund: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Montana Agricultural Stabilization and Conservation Service State Committee to effect immediate major adjustments in Montana's conserving base acres to give Montana's grain producers an equitable basis with other competing wheat-growing states under the Federal Farm Program. Referred to Committee on Agriculture and Irrigation.

House Joint Resolution No. 46, introduced by Weeding, Bardanouve: A Joint Resolution of the Senate and House of Representatives requesting the Constitutional Convention to study the desirability of amending Section Five (5) Article Sixteen (XVI) of the Montana Constitution to provide for the office of Clerk of District Court to be consolidated with other elective county offices. Referred to Committee on Townships and Counties.

House Joint Resolution No. 47, introduced by Towe, Selstad, Keller, T. L. Murphy: A Joint Resolution of the Senate and House of Representatives of the State of Montana directing the Legislative Council study, if the courts or Constitutional Convention does not set, the subject of single-or dual-member districts for Montana's House and Senate. Referred to Committee on Legislative Modernization.

House Joint Resolution No. 48, introduced by The Reapportionment

Committee (by request): A Joint Resolution of the Senate and House of Representatives requesting the Constitutional Convention to consider provision for a bipartisan Legislative Apportionment Commission. Referred to Committee on Legislative Modernization.

House Joint Resolution No. 49, introduced by Lucas, Ulmer, Harrison: A Joint Resolution of the Senate and House of Representatives requesting Congress to call a convention for the purpose of amending the United States Constitution to provide for intergovernmental sharing of federal income tax revenue. Referred to Committee on Ways and Means.

House Joint Resolution No. 50, introduced by Knudsen, Edland: A Joint Resolution of the Senate and House of Representatives of the State of Montana directing the Legislative Council to study the feasibility of establishing a set of standard, statewide plans for construction of elementary and secondary school buildings in Montana. Referred to Committee on Education.

Harrison moved that the House adjourn until 1:30 p.m., January 22, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

NINETEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 22, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Speaker Pro Tem in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Gerke, Schoonover, Spilde, Mr. Speaker, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eighteenth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

January 22, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 82, 129, 9, 185, 107, 162, 214, 217, 216, 215, 213, 211, 167, 161, 62, 175, 134, 72, 34, House Joint Resolutions Nos. 6, 4.

MARKS, Chairman

January 22, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 130, 225, 169, 32, 198, 109, 207, 189, 79, 256, 23, 183, 221, House Joint Resolution No. 12, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 22, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 181, respectfully report as follows: That House Bill No. 181

Be amended on page 1, line 10 of the title of the original and introduced bill after the word "treasurer" by striking the period "[.]" and adding the following material, "and providing an effective date."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 22, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 180, respectfully report as follows: That House Bill No. 180

Be amended on page 1, line 9, of the title of the original and reproduced bill after the word "treasurer" by striking the period "[.]" and adding the following material, "and providing an effective date."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 22, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 179, respectfully report as follows: That House Bill No. 179

Be amended on page 1, line 10 of the title of the original and reproduced bill after the word "quintuplet" by striking the period "." and adding the following material, "and providing an effective date." and

Further amend on page 2, section 1, line 18, after the material "office." by adding the following material: "The copy of the receipt given to the executor, administrator, or trustee shall be a proper voucher in the settlement of his accounts."

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 22, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 184, respectfully report as follows: That House Bill No. 184

Be amended on page 1, line 12 of the title of the original and reproduced bill, after the word "purposes" by striking the period "[.]" and adding the following material, "and providing an effective date."

Further amend section 1, subsection (d), page 3, line 15 of the original and reproduced bill, after the word "property" by deleting the following material "[subject to the taxes until the same are paid]" and inserting

in lieu thereof the following material "for a period of ten (10) years from the date of death, unless sooner paid."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 22, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration Senate Bill No. 15, respectfully report as follows: That Senate Bill No. 15 be concurred in.

SCOTT, Chairman

Report adopted.

January 22, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Joint Resolution No. 13, respectfully report as follows: That House Joint Resolution No. 13

Be amended on page 2, line 1, after the word "loggers" by deleting the words "to help", and

And, as so amended, do pass.

WORDEN, Chairman

Report adopted.

January 22, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 do pass.

WORDEN, Chairman

Report adopted.

January 22, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 101, respectfully report as follows: That House Bill No. 101 do pass.

WORDEN, Chairman

Report adopted.

January 22, 1971

Mr. Speaker: We, your committee on Labor and Compensation, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 do pass.

EAST, Chairman

Report adopted.

January 22, 1971

Mr. Speaker: We, your committee on Labor and Compensation, having had under consideration House Bill No. 210, respectfully report as follows: That House Bill No. 210 do pass.

EAST, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

January 21, 1971

Honorable James P. Lucas
Speaker for the House
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed into law House Bill No. 28.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

January 21, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 2, introduced by Bertsche, et al

Senate Joint Resolution No. 3, introduced by Bertsche, et al

Senate Joint Resolution No. 6, introduced by McKeon, Keenan

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Giesick moved that House Bill No. 554 be taken from the Committee on Public Health, Welfare and Safety and brought before the assembly.

As a substitute motion, Hall moved the question as to whether Giesick's motion was in order and be referred to the Rules Committee. Motion carried.

As a substitute motion, Harrison moved that the House recess for five minutes. Motion carried.

House recessed.

House resumed. Mr. Speaker Pro Tem in the Chair.

Harrison announced that the Rules Committee ruled that the motion of Giesick is proper, that the merits of the bill are not subject to debate, but the purpose of the motion may be debated.

The motion by Giesick failed.

Snortland moved that House Bill No. 540 be taken from Committee on Judiciary and placed in Committee on Agriculture and Irrigation. Motion carried.

Scott moved that House Bill No. 369 be taken from Committee on Ways and Means and placed in Judiciary. Motion carried.

E. Smith moved that Senate Bill No. 63 be taken from Committee on Fish and Game and placed in Committee on Affairs of Cities. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Joint Resolution No. 2, introduced by Bertsche, Turnage, Graham, Cotton, Sorensen, Gilfeather, Deschamps and Drake: A Joint Resolution of the Senate and House of Representatives of the State of Montana urging Congress and all involved officials to implement the recommendations of the Governor's Task Force on Indian Problems. Referred to Committee on State Administration.

Senate Joint Resolution No. 3, introduced by Bertsche, Turnage, Graham, Cotton, Sorensen, Gilfeather, Deschamps and Drake: A Joint Resolution of the Senate and House of Representatives of the State of Montana urging Congress and all involved officials to implement the recommendations of the Governor's Task Force on Indian Problems. Referred to Committee on State Administration.

Senate Joint Resolution No. 6, introduced by McKeon, Keenan: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Honorable Richard M. Nixon, President of the United States; to the Honorable Elliot L. Richardson, Secretary of Health, Education and Welfare; to the Congress of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable Richard Shoup and the Honorable John Melcher, Representative from the State of Montana calling attention to the plight of Montana's small, rural hospitals which are facing loss of certification under Medicare because of the increasingly stringent Medicare regulations. Referred to Committee on Public Health, Welfare and Safety.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 52, being a Constitutional Amendment, was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Baradanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Sheldon, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Worden, Yardley, Zimmer, Zody. Total 92.

Noes: Ellerd, Lien, Perry, C. Smith, Whitney, Wolf. Total 6.

Absent or not voting: Selstad, Weeding. Total 2.

Excused: Gerke, Schoonover, Spilde, Mr. Speaker. Total 4.

House Bill No. 52, being a Constitutional Amendment, is entered in full as follows:

HOUSE BILL NO. 52

INTRODUCED BY BARDANOUE, MARBUT, HARRISON, CHRISTIANSEN, HALL, HAINES AND FASBENDER.

A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO SECTION 2, ARTICLE IX OF THE CONSTITUTION OF MONTANA CHANGING THE LEGAL VOTING AGE TO EIGHTEEN (18) YEARS OF AGE, CHANGING THE PERIOD OF RESIDENCE TO THIRTY (30) DAYS AND DELETING THE REQUIREMENT THAT A VOTER BE A TAXPAYERS ON CERTAIN ISSUES, AND TO REMOVE OBSOLETE LANGUAGE."

Be It Enacted By The Legislative Assembly Of The State of Montana:

Section 1. Section 2, Article IX of the constitution of the State of Montana is amended to read as follows:

"Section 2. Every person of the age of [nineteen] eighteen (18) years or over, possessing the following qualifications, shall be entitled to vote at all general elections and for all officers that now are, or hereafter may be, elective by the people, and, except as hereinafter provided, upon all questions which may be submitted to the vote of the people or electors: First, he shall be a citizen of the United States; second, he shall have resided in this state [one (1) year] thirty (30) days immediately preceding the election at which he offers to vote, and in the town, county or precinct such time as may be prescribed by law [except that he need only reside in this state for thirty (30) days to vote for a president or vice-president of the United States. If the question submitted concerns the creation of any levy, debt or liability the person, in addition to possessing the qualifications above mentioned, must also be a taxpayer whose name appears upon the last preceding completed assessment roll, in order to entitle him to vote upon such question.] Provided, [first,] that no person convicted of felony shall have the right to vote unless he has been pardoned or restored to citizenship by the governor. [; provided, second, that nothing herein contained shall be construed to deprive any person of the right to vote who has such right at the time of the adoption of this constitution, provided, that after the expiration of five (5) years from the time of the adoption of this constitution, no person except citizens of the United States shall have the right to vote.]"

Section 2. When this amendment is submitted to the electors of the State of Montana there shall be printed on the ballot the full title and section 1 of this act and the following words:

- ☐ For the above amendment.
- ☐ Against the above amendment."

House Bill No. 120 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falckenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Gunderson, Haines, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 94.

Noes: Devine, Greely, Hall, Harrison, McKittrick, Scott. Total 6.

Absent or not voting: None.

Excused: Gerke, Schoonover, Spilde, Mr. Speaker. Total 4.

House Bill No. 121 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Gunderson, Haines, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmillier, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 90.

Noes: Anderson, Devine, Greely, Hall, Harrison, Hemstad, McKittrick, Marks, Scott, Swan. Total 10.

Absent or not voting: None.

Excused: Gerke, Schoonover, Spilde, Mr. Speaker. Total 4.

House Bill No. 122 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Haines, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Selstad, C. Smith, E. Smith, Snortland, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zody. Total 80.

Noes: Anderson, Baeth, Clemow, Devine, Fasbender, Greely, Gunderson, Hall, Harrison, Hemstad, Laas, McKittrick, Scott, Shelden, Staigmillier, Swanberg, Weeding, Zimmer. Total 18.

Absent or not voting: Fagg, Keller. Total 2.

Excused: Gerke, Schoonover, Spilde, Mr. Speaker. Total 4.

House Bill No. 132 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, Snortland, Staigmillier, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 89.

Noes: Anderson, Clemow, East, Edland, Falkenstern, Lockrem, Perry, E. Smith, Swan, Whitney, Wolf. Total 11.

Absent or not voting: None.

Excused: Gerke, Schoonover, Spilde, Mr. Speaker. Total 4.

House Bill No. 133 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lass, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 100.

Noes: None.

Absent or not voting: None.

Excused: Gerke, Schoonover, Spilde, Mr. Speaker. Total 4.

House Bill No. 224 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Darrow, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Haines, Harper, Hemstad, Himsl, Jackson, Johnston, Keller, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, J. Murphy, Nichols, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Ulmer, Watt, Weeding, Whitney, Worden, Zody. Total 58.

Noes: Anderson, Aspevig, Bardanouve, Brand, Clemow, Cox, Devine, Dye, Eggebrecht, Fasbender, Greely, Gunderson, Hall, Harrison, Healy, Hodges, Kendall, Knudsen, Kolstad, Kosena, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, T. Murphy, Norman, Perry, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Warfield, Wolf, Yardley, Zimmer. Total 42.

Absent or not voting: None.

Excused: Gerke, Schoonover, Spilde, Mr. Speaker. Total 4.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Harrison that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Marbut in the Chair. Committee arose.

House resumed. Mr. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 222 be amended in section 1 by inserting after the word "fourth" in line 16, page 3, ", excluding a multiple birth, if the third child is part of the multiple birth,"

And further amend section 1, page 3 by adding a subsection (c) following line 17 which reads as follows: "c. For purposes of above subsection b. the word natural child shall mean a child living during the taxable year."

And as amended, do not pass.

That House Bill No. 228 do pass.

That House Joint Resolution No. 9 be amended in the title, page 1, line 12 of the original and reproduced bill, before the word "and" by striking the following material "[in high schools, colleges and universities]", and

Further amend on page 2, lines 3 and 4, after the word "training" on line 3 and before the words "and urge" on line 4, by striking the following material "[in high schools, colleges, and universities.]".
(Material in brackets denotes cancelled type.)

And as amended, do pass.

That House Bill No. 32 do pass.

That House Bill No. 189 do pass.

That House Bill No. 207 do pass.

That House Bill No. 109 be passed for the day.

That House Bill No. 198 do pass.

That House Bill No. 169 do pass.

That House Bill No. 225 be passed for the day.

That House Bill No. 130 do pass.

That Senate Bill No. 17 be concurred in.

That the Committee rise and report.

MARBUT, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

A motion was made by Ulmer that House Bills Nos. 419 and 420 be taken from Committee on Business and Industry and be re-referred to Committee on Ways and Means. Motion carried.

A motion was made by Worden that House Bill No. 338 be taken from Business and Industry and be re-referred to Committee on Labor and Compensation. Motion carried.

Harper moved that House Bill No. 109 be taken from Second Reading and be re-referred to Committee on State Administration. Motion carried.

A motion was made by Harrison that House Bill No. 416 be taken from Committee on Fish and Game and be re-referred to Committee on State Administration. Motion carried.

Harrison moved that the House adjourn until 1:30 p.m., January 23, 1971. Motion carried.

House adjourned.

CONRAD LUNDGREN,
Speaker Pro Tem

ZACK STEVENS, Chief Clerk

TWENTIETH LEGISLATIVE DAY

House of Representatives
 Helena, Montana
 January 23, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain, and Pledge of Allegiance to the Flag.

On roll call all members were present except Edland, Gerke, Lund, Perry, Schoonover, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Nineteenth Legislative Day, find the same to be correct.

HARRISON, Chairman
 CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

January 23, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 43, 84, 32, 130, 169, 189, 198, 207, 85, 228, House Joint Resolution No. 9.

MARKS, Chairman

January 23, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 192, 255, 66, 8, 254, 194, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 23, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 101, 191, 201, 210, 179, 180, 181, 184, House Joint Resolution No. 13, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 22, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 178, beg leave to report the same has this date been returned from the printer correctly printed.

MARKS, Chairman

January 23, 1971

Mr. Speaker: We, your committee on State Administration, having had under consideration House Bill No. 110, respectfully report as follows: That House Bill No. 110

Be amended on page 2, line 22, before the words "per day" by deleting the following material "[forty dollars (\$40)] fifty dollars (\$50)" and inserting in lieu thereof the following material "forty dollars (\$40)", and (Material in brackets denotes cancelled type.)

As so amended, do pass.

SWAN, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on State Administration, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109

Be amended on page 1, section 1, line 15, after the word "created" by adding the word "limitation", and

Be further amended on page 1, section 1, line 17, after the word "for" and before the word "that" on line 22 by deleting the material therein in its entirety and inserting in lieu thereof the following material "necessary expenses and the acquisition of necessary property and merchandise, provided, however, that the total amount of outstanding indebtedness, exclusive of indebtedness incurred for merchandise held for resale, shall not at any time exceed the sum of twenty-five thousand dollars (\$25,000.00) and provided further", and

As so amended, do pass.

SWAN, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on State Administration, having had under consideration Senate Bill No. 30, respectfully report as follows: That Senate Bill No. 30 be concurred in.

SWAN, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239

Be amended on page 1, lines 29 and 30 of the original and reproduced bill, after the word "Montana" by striking "[. , and field officers of the United States Bureau of Land Management residing in Montana delegated such duty by the], and insert in lieu thereof a period "[.]", and

Further amend on page 2, line 1 of the original and reproduced bill the material "[Montana director of the Bureau of Land Management.]" and

Further amend on page 1, line 8 of the title after the word "enforce" by striking the semicolon and following material "[; and including field officers of the United States Bureau of Land Management as ex officio firewardens]"

And as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 do pass.

SCOTT, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 236, respectfully report as follows: That House Bill No. 236 do not pass.

SCOTT, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 238, respectfully report as follows: That House Bill No. 238

Be amended on page 1, section 1, line 22 of the original and reproduced bill after the word and punctuation "conveyance," by inserting the following new material "exclusive of leasehold interests"

And as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on Highways, having had under consideration House Bill No. 61, respectfully report as follows: That House Bill No. 61 do pass.

WOLF, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on Highways, having had under consideration House Bill No. 203, respectfully report as follows: That House Bill No. 203 do pass.

WOLF, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on Highways, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 do pass.

WOLF, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on Townships and Counties, having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252 do not pass.

FALKENSTERN, Chairman

Falkenstern moved the adoption of the committee report. As a substitute motion, Lombardi moved that House Bill No. 252 be printed and placed on Second Reading and that the Ayes and Nays be spread on the Journal. Sufficient seconds arose. The substitute motion failed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Clemow, Cox, Darrow, Devine, East, Eggebrecht, Fasbender, Glennen, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Knudsen, Kosena, Laas, Lanthorn, Lee, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, Norman, Olson, Parrish, Nelstead, Quilici, Robbins, Shelden, Staigmiller, Swanberg, Watt, Weeding, Yardley, Zimmer, Zody. Total 48.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Campbell, Dye, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Haines, Harrison, Hemstad, Himsl, Keller, Kendall, Kolstad, Kvaalen, Lien, Lockrem, Lockwood, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Patrick, Prevost, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Towe, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 50.

Absent or not voting: Burnett. Total 1.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on State Administration, having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 do pass.

SWAN, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on Townships and Counties, having had under consideration House Bill No. 318, respectfully report as follows: That House Bill No. 318 do pass.

FALKENSTERN, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 81, respectfully report as follows: That House Bill No. 81 do pass.

KELLER, Chairman

Report adopted.

January 23, 1971

Mr. Speaker: We, your committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 250, respectfully report as follows: That House Bill No. 250

Be amended on page 2, section 1, subsection d, line 15, before the word "hereunder" by striking the following material "[one hundred seventy-five dollars (\$175)]" and inserting in lieu thereof the following new material "one hundred fifty-eight dollars and fifty cents (\$158.50)", and

Be further amended on page 2, section 1, subsection d, line 19, after the "[(\$140.00)]" by striking the "[one hundred seventy-five dollars (\$175)]" and inserting in lieu thereof the following new material "one hundred fifty-eight dollars and fifty cents (\$158.50)" and

Be further amended on page 2, section 1, subsection d, after the "[(\$140.00)]" on line 23 and before the "per" on line 24 by striking the following material "[one hundred seventy-five dollars (\$175)]" and inserting in lieu thereof the following new material "one hundred fifty-eight dollars and fifty cents (\$158.50)" and

Be further amended on page 3, section 2, after the "[(\$140.00)]" on line 4 and before the "per" on line 6 by striking the following material "[one hundred seventy-five dollars (\$175)]" and inserting in lieu thereof the following new material "one hundred fifty-eight dollars and fifty cents (\$158.50)" and

Be further amended on page 3, section-3, line 21, after "[(\$140.00)]" by striking the following material "[one hundred seventy-five dollars (\$175)]" and inserting in lieu thereof the following new material "one hundred fifty-eight dollars and fifty cents (\$158.50)"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

KELLER, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 22, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 66, introduced by Northey, Broeder, and Moritz

Senate Bill No. 51, introduced by Lynch, Turnage, and Moore

Senate Bill No. 60, introduced by Deschamps, Lynch, Stephens, et al

Senate Bill No. 119, introduced by McDonald, Deschamps, McCallum, and Flynn

Senate Joint Resolution No. 5, introduced by Mitchell, Bertsche, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

January 23, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 139, introduced by Stephens and McKeon

Senate Bill No. 117, introduced by Dzivi and Bennett

Senate Bill No. 55, introduced by Turnage, et al

Senate Joint Resolution No. 10, introduced by Lynch, et al

Respectfully,

CARTER N. PICOTTE
Asst. Secretary of the Senate

MOTIONS AND RESOLUTIONS

Cox moved that Senate Bill No. 63 and House Bill No. 427 be taken from Committee on Affairs of Cities and placed in Committee on Townships and Counties. Motion carried.

Scott moved that House Bill No. 507 be removed from Committee on Judiciary and placed in Committee on Environment and Resources. Motion carried.

Haines moved that House Bill No. 453 be taken from Committee on Constitution, Elections and Federal Relations and placed in Committee on Judiciary. Motion carried.

Keller moved that House Bill No. 452 be taken from Committee on Public Health, Welfare and Safety and placed in Committee on Judiciary. Motion carried.

Smith moved that House Bill No. 546 be taken from Committee on Fish and Game and placed in Committee on Business and Industry. Motion carried.

Falkenstern moved that House Bills Nos. 417 and 418 be taken from Committee on Townships and Counties and placed in Committee on Affairs of Cities. Motion carried.

Ulmer moved that House Bills Nos. 345 and 346 be taken from Committee on Ways and Means and placed in Committee on Townships and Counties. Motion carried.

Harrison moved that House Bill No. 175 be taken from Third Reading and held until the Governor signs Senate Bill No. 1. Motion carried.

Worden moved that House Bill No. 421 be taken from Committee on Business and Industry and placed in Committee on Ways and Means.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committee:

Senate Bill No. 51, introduced by Lynch, Turnage and Moore: A bill for an act entitled: "An act to establish a law concerning cancellation of automobile liability insurance policies." Referred to Committee on Judiciary.

Senate Bill No. 60, introduced by Deschamps, Lynch, Stephens, Moore, Drake, Carl, Northey and Turnage: A bill for an act entitled: "An act to amend Section 94-35-249, R.C.M., 1947, to prohibit the possession of any key or device specifically designed to open or break any parking meter, coin telephone, or other vending machines dispensing goods or services and to increase the penalties provided by Section 94-35-249, R.C.M., 1947." Referred to Committee on Judiciary.

Senate Bill No. 66, introduced by Northey, Broeder and Moritz: A bill for an act entitled: "An act to amend Section 32-3317, R.C.M., 1947, by removing the requirements for marking gross weight upon vehicles, motor trucks, truck-tractor, trailer or semitrailers operated upon highways and repealing Section 32-3311, R.C.M., 1947." Referred to Committee on Highways.

Senate Bill No. 119, introduced by McDonald, Deschamps, McCallum, Flynn: A bill for an act entitled: "An act to repeal Chapter 6, Title 41, R.C.M., 1947." Referred to Committee on Judiciary.

Senate Bill No. 55, introduced by Turnage, Bennett, Broeder, Carl, Mitchell, Northey, Deschamps, McCallum: A bill for an act entitled: "An act to amend Section 69-3508.1 and 69-3508.2, R.C.M., 1947, prohibiting discharge of wastes from boats and providing a penalty." Referred to Committee on Environment and Resources.

Senate Bill No. 117, introduced by Dzivi, Bennett: A bill for an act entitled: "An act amending Section 40-4108, R.C.M., 1947, and requiring disability insurance and workmen's compensation policies to provide the insured shall have full freedom of choice in the selection of any duly licensed psychologist for treatment of illness or injury." Referred to Committee on Labor and Compensation.

Senate Bill No. 139, introduced by Stephens, McKeon: A bill for an act entitled: "A bill to provide a guaranty association for all insurers,

to protect the public from insurer insolvency and providing for assessment among association members under certain conditions." Referred to Committee on Business and Industry.

Senate Joint Resolution No. 5, introduced by Mitchell, Bertsche, Lowe, Bollinger, Cotton, James, Mathers, Sorensen: A Joint Resolution of the Senate and House of Representatives of the State of Montana, to the Montana Congressional Delegation supporting the establishment of a scenic recreation river along the Missouri from Robinson Bridge to Fort Benton in Montana and urging the Montana Congressional Delegation to introduce and support appropriate legislation. Referred to Committee on Fish and Game.

Senate Joint Resolution No. 10, introduced by Lynch, McOmber, Bollinger, Flynn, Cotton, Bennett: A Joint Resolution of the Senate and House of Representatives of the State of Montana asking the Congress of the United States of America to amend the social security act in a manner which will clearly permit hospitals, extended care facilities, skilled nursing homes and intermediate care facilities in which smoke detection systems have been installed to qualify as providers in the related federally funded patient care programs. Referred to Committee on Constitution, Elections and Federal Relations.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 9 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnabender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunder-son, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staig-miller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weed-ing, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 94.

Noes: Anderson, Kendall, Marbut, T. Murphy, Zimmer. Total 5.

Absent or not voting: None.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 34 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnabender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gun-der-son, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, Mc-Grath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snort-land, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, War-field, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Brand, Johnston, Whitney, Wolf. Total 4.

Absent or not voting: None.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 43 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, Nichols, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, Snortland, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Ellerd, Kvaalen, Marks, T. Murphy, E. Smith, Spilde, Swan. Total 7.

Absent or not voting: Norman. Total 1.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 62 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, T. Murphy, Nichols, Norman, Olson, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 89.

Noes: Brand, Gunderson, Marks, J. Murphy, Parrish, Staigmiller, Swanberg, Towe, Zimmer. Total 9.

Absent or not voting: Menahan. Total 1.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 72 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Aber, Burnett, McNamer. Total 3.

Absent or not voting: None.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 82 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: None.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 107 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Baeth, Bardanouve, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Glennen, Greely, Gunderson, Haines, Harper, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lundgren, McGrath, Marbut, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Nelstead, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Snortland, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Zody, Mr. Speaker. Total 70.

Noes: Aspevig, Bennett, Fitzgarrald, Forester, Giesick, Hall, Harrison, Healy, Himsl, Kvaalen, Laas, Lombardi, Lynch, McKittrick, McNamer, Marks, J. Murphy, Nichols, Patrick, Prevost, C. Smith, Spilde, Staigmiller, Sverdsten, Swan, Towe, Wolf, Yardley, Zimmer. Total 29.

Absent or not voting: None.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 129 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: None.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 134 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Eggebrecht, Ellerd, Fagg, Falken-stern, Fasbender, Fitzgarrald, Fleming, Giesick, Glennen, Greely, Gunder-son, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lundgren, Lynch, Mc-Grath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Selstad, Shelden, Snortland, Staigmiller, Sverd-sten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 90.

Noes: East, Lockrem, Scott, C. Smith, E. Smith, Spilde, Whitney, Zimmer. Total 8.

Absent or not voting: Forester. Total 1.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 161 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Fal-kenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund-gren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Par-rish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swan-berg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: None.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 162 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Fal-kenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund-gren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Par-rish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swan-berg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: None.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 167 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKitterick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 92.

Noes: Fasbender, Greely, Haines, Mather, Scott. Total 5.

Absent or not voting: Dye, Zimmer. Total 2.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 185 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKitterick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 92.

Noes: Jackson, Lien, T. Murphy, Shelden. Total 4.

Absent or not voting: Harrison, Weeding, Zimmer. Total 3.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 211 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKitterick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 92.

Noes: Aber, Burnett, Lockrem, Whitney. Total 4.

Absent or not voting: Haines, Swanberg, Zimmer. Total 3.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 213 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Fal-kenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund-gren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zim-mer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Menahan. Total 1.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 214 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Fal-kenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund-gren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Par-rish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swan-berg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: None.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 215 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Fal-kenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund-gren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Par-rish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swan-berg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Absent or not voting: Weeding, Zody. Total 2.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 216 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-
danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,
Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Fal-
kenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen,
Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl,
Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena,
Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund-
gren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather,
Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick,
Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E.
Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe,
Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer,
Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: J. Murphy. Total 1.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Bill No. 217 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-
danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,
Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Fal-
kenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen,
Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl,
Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena,
Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund-
gren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather,
Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Pat-
rick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith,
E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe,
Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer,
Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Nichols. Total 1.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Joint Resolution No. 4 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-
danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,
Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Fal-
kenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson,
Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson,
Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lan-
thorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, McGrath, Mc-
Kittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy,
T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost,
Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland,
Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield,
Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker.
Total 96.

Noes: Fasbender, Watt. Total 2.

Absent or not voting: Lynch. Total 1.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

House Joint Resolution No. 6 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lombardi, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 87.

Noes: Aber, Anderson, Burnett, Lockrem, McNamer, C. Smith, Swan. Total 7.

Absent or not voting: Dye, Lockwood, Mather, Patrick, Selstad. Total 5.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

THIRD READING OF SENATE BILLS

The following bills having been read three several times were disposed of in the following manner:

Senate Bill No. 17 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Scott. Total 1.

Absent or not voting: Haines. Total 1.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Swanberg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 225 be amended in the Title by inserting the words "or matrons" after the word "sheriffs" on line 5,

And further amend section 1 by inserting the words "or matrons where the sheriff is not a woman. Such female sheriff," after the word

"sheriffs" in line 11 and by adding ", or matrons" after the word "sheriffs" and by striking out in line 14 and 15 the words "a female deputy sheriff" and inserting in lieu thereof the words "said women."

And as so amended, do pass.

That House Bill No. 255 do pass.

That House Joint Resolution No. 12 be passed for the day.

That House Bill No. 183 do pass.

That House Bill No. 221 do pass.

That House Bill No. 192 do pass.

That House Bill No. 66 be amended in the Title, page 1, line 10 of the printed bill by deleting the punctuation following the word "duties" and inserting the following words and punctuation "and providing an effective date."

And as so amended, do pass.

That House Bill No. 8 do pass.

That House Bill No. 23 do pass.

That House Bill No. 254 be amended in section 1 by striking the quotation mark before section 1 and inserting after "section 1" the following: "Section 84-1840, R.C.M., 1947, is hereby amended to read as follows: "84-1840."

Further amend section 3, page 5, lines 21 through 29 by striking the material in its entirety and renumber section 4 to read section 3.

And as so amended, do pass.

That House Bill No. 256 do pass.

That House Bill No. 79 do pass.

That consideration of House Bill No. 178 be passed for the day.

That Senate Bill No. 15 be concurred in.

That the Committee rise and report.

SWANBERG, Chairman

Report adopted.

Without objection, the House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Towe, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 252, moved that the House reconsider its action and that House Bill No. 252 be printed and placed on Second Reading.

Lombardi asked for a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose, and the roll call vote was taken.

The motion was carried by the following vote:

Ayes: Aber, Aspevig, Baeth, Bardanouve, Bradley, Christiansen, Clemow, Cox, Devine, Eggebrecht, Fagg, Fasbender, Fleming, Giesick, Greeley, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Kosena, Laas, Lanthorn, Lee, Lien, Lombardi, Lynch, McGrath, McKitterick, Mehrens, Menahan, Norman, Olson, Parrish, Prevost, Quilici, Robbins,

Shelden, E. Smith, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 50.

Noes: Anderson, Asbjornson, Bennett, Brown, Campbell, Darrow, Dye, East, Ellerd, Falkenstern, Fitzgarrald, Forester, Glennen, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lockrem, Lockwood, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Patrick, Nelstead, Scott, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Worden. Total 41.

Absent or not voting: Ainsworth, Brand, Burnett, Haines, Knudsen, T. Murhpy, Wolf, Mr. Speaker. Total 8.

Excused: Edland, Gerke, Lund, Perry, Schoonover. Total 5.

Harrison moved that the Speaker add another member to the Committee on Long-Range Building to conform with number appointed by the Senate. Motion carried.

The Speaker appointed Healy to this Committee.

Motion was made by Harrison that the House adjourn until 12:00 noon, January 25, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

TWENTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 25, 1971

House convened, pursuant to adjournment, at 12:00 noon.

Mr. Speaker Pro Tem in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Laas, Mr. Speaker, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twentieth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

January 25, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 66, 254, 8, 23, 79, 183, 192, 221, 255, 256.

MARKS, Chairman

January 25, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred

House Bills Nos. 61, 81, 195, 203, 232, 306, 318, 252, 109, 110, 238, 239, 250, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 23, 1971

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Joint Resolution No. 24, respectfully report as follows: That House Joint Resolution No. 24 do pass.

FAGG, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Haines moved that House Bill No. 156 be taken from the Committee on Constitution, Elections and Federal Relations and be re-referred to Committee on Affairs of Cities. Motion carried.

Haines moved that House Joint Resolution No. 8 be taken from Committee on Constitution, Elections and Federal Relations and be re-referred to Committee on Ways and Means. Motion carried.

Cox moved that House Bill No. 466 be taken from Committee on Affairs of Cities and be re-referred to Committee on Education. Motion carried.

Worden moved that House Bill No. 340 be taken from Committee on Business and Industry and be re-referred to Judiciary. Motion carried.

Keller moved that House Bill No. 159 be taken from Committee on State Administration and be re-referred to Committee on Public Health, Welfare and Safety. Motion carried.

Keller moved that Senate Joint Resolution No. 10 be taken from Committee on Constitution, Elections and Federal Relations and be re-referred to Committee on Public Health, Welfare and Safety. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading. Motion carried.

Mehrens in the Chair. Committee arose.

House resumed. Mr. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Joint Resolution No. 12 do pass.

That House Bill No. 178 be passed to the bottom of the list.

That House Bill No. 194 do pass.

That House Bill No. 179 do pass.

That House Bill No. 180 be passed for the day.

That House Bill No. 181 do pass.

That House Bill No. 184 do pass.

That House Joint Resolution No. 13 do pass.

That House Bill No. 101 do pass.

That House Bill No. 191 do pass.

That House Bill No. 201 do pass.

That House Bill No. 210 do pass.

That House Bill No. 203 do pass.

That House Bill No. 195 do pass.

That House Bill No. 239 do pass.

That House Bill No. 250 be passed for the day.

That House Bill No. 109 do pass.

That House Bill No. 110 do pass.

That House Bill No. 81 do pass.

That House Bill No. 306 do pass.

That House Bill No. 252 do not pass.

That House Bill No. 318 do not pass.

That House Bill No. 238 be amended in Section 1, line 22, page 1, by inserting a “(” before the word “exclusive” and a “)” after the word “interests”,

And, as amended, do pass.

That House Bill No. 232 do pass.

That House Bill No. 61 do pass.

That House Bill No. 178 be passed for the day.

That Senate Bill No. 30 be passed for the day.

That the Committee rise and report.

MEHRENS, Chairman

Mehrens moved for the adoption of the committee report.

As a substitute motion, Scott moved that House Bill No. 110 be segregated from the Committee of the Whole report. Motion failed.

As a substitute motion, Hall moved that House Bills Nos. 252 and 318 be segregated from the Committee of the Whole report and as so amended the Committee of the Whole report be adopted. Motion failed.

The Committee of the Whole report was then adopted.

REPORTS OF STANDING COMMITTEES

January 25, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 208, respectfully reports as follows: That House Bill No. 208 do pass.

COX, Chairman

Report adopted.

January 25, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 14, respectfully report as follows: That House Bill No. 14

Be amended on page 1, line 9 of the original bill, in the title after the word "aldermen" by inserting the following words, " , deleting obsolete language and providing an effective date"

And, as so amended, do pass.

COX, Chairman

Report adopted.

January 25, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97

Be amended on page 1, Section 1, line 29 of the original and introduced bill after the word "Conflict" by striking the following material "[beginning August 5, 1964]", and

Be further amended on page 2, Section 1, line 3 of the original and introduced bill after the word "Conflict" by striking the following material "[beginning August 5, 1964]", and

As so amended, do pass.

HAINES, Chairman

Report adopted.

(Material in brackets denotes cancelled type.)

January 25, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 188, respectfully report as follows: That House Bill No. 188

Be amended on page 1, line 8 of the title of the original and introduced bill following the word "Montana" by inserting the following new material "and providing an effective date", and

As so amended, do pass.

HAINES, Chairman

Report adopted.

January 25, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 233, respectfully report as follows: That House Bill No. 233 do not pass.

HAINES, Chairman

Report adopted.

January 25, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 3, respectfully report as follows: That House Joint Resolution No. 3 do not pass.

HAINES, Chairman

Haines moved for adoption of the committee report.

Hodges made a substitute motion that House Joint Resolution No. 3 be printed and placed on Second Reading.

Norman requested a roll call vote, with Ayes and Nays spread on the Journal. Sufficient seconds arose.

Haines requested a Call of the House. Sufficient seconds arose and the Speaker Pro Tem ordered a Call of the House.

Progress having been shown, Haines moved that the Call of the House be dispensed with. Motion lost.

Progress again having been shown, Christiansen moved that the Call of the House be dispensed with. Motion carried.

The Roll Call vote was then called for and the substitute motion failed by the following vote:

Ayes: Anderson, Aspevig, Bardanoue, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunder-son, Hall, Harper, Healy, Hodges, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Mehrens, Menahan, Norman, Par-rish, Prevost, Quilici, Shelden, Staigmilller, Towe, Watt. Total 37.

Noes: Aber, Ainsworth, Asbjornson, Baeth, Bennett, Brown, Burnett, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Jackson, Keller, Kolstad, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lund-gren, McGrath, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 64.

Absent or not voting: Campbell, Robbins. Total 2.

Excused: Mr. Speaker. Total 1.

Thereupon, the committee report that House Joint Resolution No. 3 do not pass was adopted.

January 25, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 10, respectfully report as follows: That House Joint Resolution No. 10 do pass.

SMITH, Chairman

Report adopted.

January 25, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 5, respectfully report as follows: That Senate Bill No. 5 be concurred in.

SMITH, Chairman

Report adopted.

January 25, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 260, respectfully report as follows: That House Bill No. 260 do pass.

SMITH, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 32 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitz-

garraird, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Scott, Shelden, C. Smith, E. Smith, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 88.

Noes: Aber, Bennett, Burnett, Himsl, McNamer, Mather, J. Murphy, Perry, Schoonover, Selstad, Snortland, Ulmer. Total 12.

Absent or not voting: Campbell, Haines, Robbins. Total 3.

Excused: Mr. Speaker. Total 1.

House Bill No. 84 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarraird, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 100.

Noes: None.

Absent or not voting: Campbell, Perry, Robbins. Total 3.

Excused: Mr. Speaker. Total 1.

House Bill No. 85 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fitzgarraird, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody. Total 96.

Noes: Anderson, Clemow, Ellerd, Selstad, Whitney. Total 5.

Absent or not voting: Campbell, Robbins. Total 2.

Excused: Mr. Speaker. Total 1.

House Bill No. 130 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow,

Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 101.

Noes: None.

Absent or not voting: Campbell, Robbins. Total 2.

Excused: Mr. Speaker. Total 1.

House Bill No. 169 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christianson, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 99.

Noes: McNamer, Total 1.

Absent or not voting: Campbell, Dye, Robbins. Total 3.

Excused: Mr. Speaker. Total 1.

House Bill No. 189 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 97.

Noes: Greely, Harrison, Marbut. Total 3.

Absent or not voting: Campbell, Robbins, Spilde. Total 3.

Excused: Mr. Speaker. Total 1.

House Bill No. 198 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barda-
nouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow,
Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-
stern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen,
Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl,
Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen,
Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren,
Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menah-
han, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick,
Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C.
Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swan-
berg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden,
Yardley, Zimmer, Zody. Total 100.

Noes: None.

Absent or not voting: Campbell, Keller, Robbins. Total 3.

Excused: Mr. Speaker. Total 1.

House Bill No. 207 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barda-
nouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow,
Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-
stern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen,
Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl,
Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen,
Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren,
Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menah-
han, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick,
Perry, Nelstead, Prevost, Quilici, Scott, Selstad, Shelden, E. Smith, Staig-
miller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whit-
ney, Worden, Yardley, Zimmer, Zody. Total 93.

Noes: Keller, Marks, Schoonover, C. Smith, Snortland, Swan, Wolf.
Total 7.

Absent or not voting: Campbell, Robbins, Spilde. Total 3.

Excused: Mr. Speaker. Total 1.

House Bill No. 228 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barda-
nouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow,
Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-
stern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen,
Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl,
Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena,
Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund,
Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather,
Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish,
Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Sheld-
en, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan,
Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden,
Yardley, Zimmer, Zody. Total 101.

Noes: None.

Absent or not voting: Campbell, Robbins. Total 2.

Excused: Mr. Speaker. Total 1.

House Joint Resolution No. 9 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Bennett, Brand, Brown, Burnett, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstein, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Perry, Nelstead, Prevost, Schoonover, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 65.

Noes: Aber, Anderson, Aspevig, Baeth, Bardanouve, Bradley, Christiansen, Edland, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Knudsen, Laas, Lee, Lombardi, McGrath, Mehrens, Menahan, T. Murphy, Norman, Parrish, Patrick, Quilici, Scott, Shelden, Staigmillier, Towe, Watt, Weeding. Total 35.

Absent or not voting: Campbell, McNamer, Robbins. Total 3.

Excused: Mr. Speaker: Total 1.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 15 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstein, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 101.

Noes: None.

Absent or not voting: Campbell, Robbins. Total 2.

Excused: Mr. Speaker: Total 1.

REPORTS OF STANDING COMMITTEES

January 25, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 193, respectfully report as follows: That House Bill No. 193 do not pass.

SCOTT, Chairman

Report adopted.

January 25, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 190

Be amended on page 1, Section 1, on line 20 of the original and reproduced bill, after the word "or" by striking the material "[one (1)]" and inserting in lieu thereof the new material "two (2)", and

Further amend on page 1, Section 1, on line 24 of the original and reproduced bill after the word "after" by striking the material "[three (3)]" and inserting in lieu thereof the new material "five (5)"

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 25, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 269, respectfully report as follows: That House Bill No. 269 do not pass.

SCOTT, Chairman

Report adopted.

January 25, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 219, respectfully report as follows: That House Bill No. 219 do not pass.

SCOTT, Chairman

Report adopted.

January 25, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 330, respectfully report as follows: That House Bill No. 330 do not pass.

SCOTT, Chairman

Report adopted.

Harrison moved that the House adjourn until 1:30 p.m., January 26, 1971. Motion carried.

House adjourned.

CONRAD LUNDGREN,
Speaker Pro Tem

ZACK STEVENS, Chief Clerk.

TWENTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 26, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Johnston, Robbins, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-Second Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

January 26, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 14, 188, 97, 190, 208, 260, House Joint Resolutions Nos. 10, 24, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 26, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 225, 61, 81, 101, 109, 110, 179, 181, 184, 191, 194, 195, 201, 203, 210, 232, 239, 306, 238, House Joint Resolutions Nos. 12, 3.

MARKS, Chairman

January 26, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House Attaches be given the number of days listed for Pre-Session employment.

Hall moved that the House suspend the Rules and consider the list read at length. Motion carried.

Chief Clerk.....	Zack Stevens.....	4
Assistant Chief Clerk.....	Lyle Anderson.....	2
Secretary to Speaker.....	Karen Nyberg.....	2
Secretary—Payroll Clerk.....	Virginia Michels.....	2
Sergeant-at-Arms	Robert S. Hanson.....	7
Assistant Sergeant-at-Arms.....	E. James Frost.....	2
Chief Steno.....	Martha P. Brass.....	2
Assistant Chief Steno.....	Eva K. Seeley.....	1
Chief Multilith Clerk.....	Agnes R. Screnar.....	4
Assistant Chief Multilith Clerk.....	Florence L. Stermitz.....	3
Multilith Clerk.....	Hilda Haddow.....	2
Multilith Clerk.....	Sharon Morgan.....	2
Chief Mailing Clerk.....	Orville C. Hanson.....	2
Chief Engrossing and Enrolling.....	Elizabeth B. Guffey.....	4
Assistant Chief Enrolling.....	Jane Brown Jones.....	1
Night Watchman.....	James P. Foley.....	1
Night Watchman.....	William Guldseth.....	1
Night Watchman.....	Timothy M. Racicot.....	1

SPILDE, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 461, respectfully report as follows: That House Bill No. 461 do pass.

WARFIELD, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 339, respectfully report as follows: That House Bill No. 339 do pass.

WARFIELD, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 568, respectfully report as follows: That House Bill No. 568 be amended as follows:

Be amended on page 1, Section 2, line 19, after the "exceed" by deleting the words and figures "ten dollars (\$10)" and inserting in lieu thereof the following material "five dollars (\$5)", and

Be further amended on page 1, Section 2, line 20, after the word "fines" insert the following words "and fees"

And, as so amended, do pass.

WARFIELD, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Joint Resolution No. 45, respectfully report as follows: That House Joint Resolution No. 45 do pass.

HEMSTAD, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 242, respectfully report as follows: That House Bill No. 242 do pass.

HEMSTAD, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 299, respectfully report as follows: That House Bill No. 299 do pass.

WOLF, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 402, respectfully report as follows: That House Bill No. 402 do not pass.

WOLF, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 371, respectfully report as follows: That House Bill No. 371 do not pass.

WOLF, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 do not pass.

WOLF, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Appropriation, having had under consideration House Bill No. 95, respectfully report as follows: That House Bill No. 95 do pass.

NICHOLS, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 114, respectfully report as follows: That House Bill No. 114 do not pass.

ULMER, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 261, respectfully report as follows: That House Bill No. 261 do pass.

ULMER, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 348, respectfully report as follows: That House Bill No. 348 do pass.

ULMER, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 518, respectfully report as follows: That House Bill No. 518 do pass.

ULMER, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 411, respectfully report as follows: That House Bill No. 411 do pass.

SMITH, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 do pass.

SMITH, Chairman

Report adopted.

The Speaker signed the following bill in open session: Senate Bill No. 17.

January 26, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 321, respectfully report as follows: That House Bill No. 321 be amended as follows:

Be amended on page 1, lines 8 and 9 of the title of the original and reproduced bill after the word "to" by striking the material "[twelve thousand five hundred dollars (\$12,500).]" and inserting in lieu thereof the material "ten thousand four hundred dollars (\$10,400).", and

further amend on page 1, Section 1, lines 18 and 19 of the original and reproduced bill after the material "[(\$9,200)]" by striking the material "[twelve thousand five hundred dollars (\$12,500)] and inserting in lieu thereof the material "ten thousand four hundred dollars (\$10,400)"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 300, respectfully report as follows: That House Bill No. 300 do not pass.

SCOTT, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 332, respectfully report as follows: That House Bill No. 332 do pass.

SCOTT, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 199, respectfully report as follows: That House Bill No. 199 be amended as follows:

Scott moved that the Rules be suspended and the amendments be considered read in full. Motion carried.

Be amended on page 1, Section 1, line 15, of the original and reproduced bill, after the material "nurse," by striking the words "[dispensing optician,]", and

further amend on page 1, Section 1, line 16 of the original and reproduced bill after the word "chiropractor," by striking the word "[clinical]", and

further amend on page 1, Section 1, line 17 by striking the material "[laboratory bioanalyst, clinical laboratory technologist,]", and

further amend on page 2, Section 1, line 1, through line 4 of the original and reproduced bill after the word "insurance" by striking the words and punctuation "[then insuring the professional activities of such licensee or licensed hospital for any error, omission, professional negligence, or the performance of services without consent.]" and inserting in lieu thereof the following material "during the term of the policy."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 16, respectfully report as follows: That Senate Bill No. 16 be not concurred in.

SCOTT, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 4, respectfully report as follows: That Senate Bill No. 4 be amended as follows:

Scott moved that the Rules be suspended and the amendments be considered read at length. Motion carried.

Be amended on page 2, Section 1, line 12 of the original and reproduced bill, after the word "address" by striking the word "[or]" and inserting in lieu thereof the word "and", and

further amend on page 2, Section 1, lines 17 through 22 of the original and reproduced bill by striking the material "[it is an unlawful practice within the meaning of this act for a seller to refuse to make full refund as required by this section or for a seller to use any undue influence, collusion, intentional misrepresentation, or any other willful act or representation to interfere with the buyer's exercise of his rights under this section.]"

(Material in brackets denotes cancelled type.)

And, as so amended, be concurred in.

SCOTT, Chairman

Report adopted.

January 25, 1971

Mr. Speaker: We, your Majority Committee on Judiciary, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 do not pass.

SCOTT, Chairman
McNAMER,
BENNETT
J. MURPHY
MATHER
HEMSTAD

Scott moved for adoption of the Majority Committee report.

January 26, 1971

Mr. Speaker: We, your Minority Committee on Judiciary, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 do pass.

GREELY
PARRISH
TOWE
HALL
BAETH

Greely made a substitute motion that the Minority Committee report be adopted.

As a substitute motion, Haines moved the previous question. Motion carried.

The substitute motion that House Bill No. 229 do pass failed. Thereupon, the Majority Committee report that House Bill No. 229 do not pass was adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Lundgren moved that Rules be suspended, and the Appropriation Bill be considered read in full. Motion carried.

House Bill No. 575, introduced by Nichols: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1971 and 1972, providing a severability clause and an effective date." Referred to Committee on Appropriations.

House Bill No. 576, introduced by Norman, Brown, Towe: A bill for an act entitled: "An act to establish a severance tax of twelve cents (\$.12) per ton on coal extracted from strip mining operations." Referred to Committee on Ways and Means.

Lundgren moved that Rules be suspended and the Appropriation Bill be considered read in full. Motion carried.

House Bill No. 577, introduced by Whitney, Falkenstern, Zody, Baeth: A bill for an act entitled: "An act appropriating seven thousand eight hundred dollars (\$7,800) to the Fish and Game Commission from the general fund to construct a fish pond near the town of Wibaux, Montana, for the biennium ending June 30, 1973." Referred to Committee on Appropriations.

House Bill No. 578, introduced by Lanthorn: A bill for an act entitled: "An act amending Sections 4-317, 4-324 and 4-347, R.C.M., 1947, concerning licenses of brewers, persons to whom brewers may sell beer and increasing the barrelage tax, and providing for its disposition for various law enforcement purposes to the state, counties, and cities and towns." Referred to Committee on Ways and Means.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 8 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Mr. Speaker. Total 98.

Noes: Snortland. Total 1.

Absent or not voting: Burnett, Harrison, McNamer. Total 3.

Excused: Johnston, Robbins. Total 2.

House Bill No. 23 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnabender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Burnett, McNamer. Total 2.

Excused: Johnston, Robbins. Total 2.

House Bill No. 66 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnabender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lass, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: McNamer. total 1.

Excused: Johnston, Robbins. Total 2.

House Bill No. 79 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnabender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Aber, Burnett, Giesick, Lien, Wolf. Total 5.

Absent or not voting: Dye. Total 1.

Excused: Johnston, Robbins. Total 2.

House Bill No. 163 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lund, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Olson, Parrish, Nelstead, Quilici, Schoonover, Selstad, Shelden, E. B. Smith, Snortland, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zody, Mr. Speaker. Total 82.

Noes: Aspevig, Eggebrecht, Ellerd, Himsl, Knudsen, Lockrem, Lombardi, Lundgren, McNamer, Marks, Norman, Patrick, Perry, Prevost, Scott, C. M. Smith, Spilde, Whitney, Wolf, Zimmer. Total 20.

Absent or not voting: None.

Excused: Johnston, Robbins. Total 2.

House Bill No. 166 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Staigmilller, Sverdsten, Swanberg, Warfield, Watt, Weeding, Whitney, Worden, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Aspevig, Haines, Olson, Perry, Spilde, Swan, Towe, Ulmer, Wolf, Yardley. Total 10.

Absent or not voting: Kendall. Total 1.

Excused: Johnston, Robbins. Total 2.

House Bill No. 171 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: Aber. Total 1.

Absent or not voting: None.

Excused: Johnston, Robbins. Total 2.

House Bill No. 175 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmler, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Bennett, Ellerd, Greely, Harrison, Himsl, Laas, McNamer, J. E. Murphy, Schoonover, Weeding. Total 10.

Absent or not voting: Bardanoue. Total 1.

Excused: Johnston, Robbins. Total 2.

House Bill No. 183 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Spilde, Staigmler, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Bardanoue, Fasbender, Hall, Knudsen, Kolstad, Lynch, Prevost, Snortland, Towe, Yardley. Total 10.

Absent or not voting: Schoonover. Total 1.

Excused: Johnston, Robbins. Total 2.

House Bill No. 192 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mather, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Selstad, Shelden, E. B. Smith, Snortland, Spilde, Staigmler, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Edland, Marbut, Mehrens, Menahan, C. M. Smith, Swan. Total 6.

Absent or not voting: Schoonover. Total 1.

Excused: Johnston, Robbins. Total 2.

House Bill No. 218 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Sheldon, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: Harper, Keller, Lynch, Selstad. Total 4.

Absent or not voting: None.

Excused: Johnston, Robbins. Total 2.

House Bill No. 220 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Sheldon, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Olson. Total 1.

Absent or not voting: Weeding. Total 1.

Excused: Johnson, Robbins. Total 2.

House Bill No. 221 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Sheldon, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Forester, Nichols, Selstad. Total 3.

Excused: Johnston, Robbins. Total 2.

House Bill No. 254 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: Anderson, East, McNamer. Total 3.

Absent or not voting: Forester. Total 1.

Excused: Johnston, Robbins. Total 2.

House Bill No. 255 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: None.

Excused: Johnston, Robbins. Total 2.

House Bill No. 256 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: None.

Excused: Johnston, Robbins. Total 2.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Kolstad in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 180 be amended on page 2, line 9 of the original and printed bill, by adding a new section as follows: "Section 2. This act is effective on passage and approval."

And, as so amended, do pass.

That House Bill No. 18 do pass.

That House Bill No. 178 do pass.

That House Bill No. 260 do pass.

That House Bill No. 14 be postponed until January 28, 1971.

That House Bill No. 188 do pass.

That House Bill No. 97 do pass.

That House Bill No. 190 be passed for the day.

That House Joint Resolution No. 10 do pass.

That House Joint Resolution No. 24 be passed for the day.

That House Bill No. 208 be passed for the day.

That Senate Bill No. 30 be concurred in.

That Senate Bill No. 5 be concurred in.

That the Committee rise and report.

KOLSTAD, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Fagg moved that House Bills Nos. 430, 431, 432 be re-referred to Committee on Business and Industry. Motion carried.

Mather moved that House Joint Resolution No. 24 be taken from Second Reading and referred to Rules Committee to determine the effect of action on this Resolution. Motion carried.

Cox moved that House Bill No. 208 be taken from Second Reading and be re-referred to Committee on Affairs of Cities. Motion carried.

Dye moved that House Bill No. 547 be taken from Committee on Highways and re-referred to Committee on Appropriations. Motion carried.

E. Smith moved that House Bills Nos. 361 and 456 be taken from Committee on Fish and Game and be re-referred to Committee on Business and Industry. Motion carried.

Harrison moved that the House adjourn until 1:30 p.m., January 27, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

TWENTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 27, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-third Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

January 27, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 18, 97, 178, 188, 260, 180, House Joint Resolution No. 10.

MARKS, Chairman

January 27, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 95, 212, 242, 261, 299, 332, 339, 348, 411, 518, 199, 321, 568, 461, House Joint Resolution No. 45, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 26, 1971

Mr. Speaker: We, your committee on Environment and Resources, having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 be amended as follows:

Be amended in Section 3, page 2, line 1, following the word "including" by striking the word "old" and inserting in lieu thereof the word "abandoned"

And be further amended following Section 11, page 3, line 9, by adding on line 10, a new section: "Section 12. Section 32-1629, 32-1630, and 32-1631, R.C.M., 1947, are hereby repealed."

And, as amended, do pass.

LUNDGREN, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your committee on Environment and Resources, having had under consideration House Bill No. 320, respectfully report as follows: That House Bill No. 320 do pass.

LUNDGREN, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 21, respectfully report as follows: That House Bill No. 21 be amended as follows:

Worden moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended by inserting in the introduced bill at a line immediately above the title of the bill on page 1 of the bill the figures "19-107" and,

be further amended by inserting in the title of the bill after the word "observance" at line 7 the words and figures "and amending Section 19-107, R.C.M., 1947," and,

be further amended on page 4, line 5 and 6, section 5 of the original bill by deleting the following material: ", [and not in substitution for or limitation of,] and

be further amended by adding a Section 6 thereto beginning at line 10 of page 4 of the bill to read as follows:

"Section 6. Section 19-107, R.C.M., 1947, is amended to read as follows: '19-107. Legal holidays and business days defined. The following are legal holidays in the state of Montana:

- (1) Each Sunday.
- (2) New Year's Day, January 1.
- (3) Lincoln's Birthday, February 12.
- (4) Washington's Birthday, the third Monday in February.
- (5) Memorial Day, the last Monday in May.
- (6) Independence Day, July 4.
- (7) Labor Day, the first Monday in September.
- (8) Columbus Day, the second Monday in October.
- (9) Veteran's Day, the fourth Monday in October.
- (10) Thanksgiving Day, the fourth Thursday in November.
- (11) Christmas Day, December 25.
- (12) State general election day.

If any of the above-enumerated holidays (except Sunday) fall upon a Sunday, the Monday following is a holiday. All other days are business days.

Whenever any bank in the State of Montana elects to remain closed and refrains from the transaction of business on Saturday, pursuant to authority for permissive closing on Saturdays by virtue of the laws of the state, legal holidays for such bank during the year of such election are hereby limited to the following holidays:

- (1) Each Sunday.
- (2) New Year's Day, January 1.
- (3) Memorial Day, the last Monday in May.
- (4) Independence Day, July 4.
- (5) Labor Day, the first Monday in September.
- (6) Thanksgiving Day, the fourth Thursday in November.
- (7) Christmas Day, December 25.

(8) On such days as banks are closed in accordance with Sections 1 through 5 of this act.

Any bank practicing Saturday closing in compliance with law may remain closed and refrain from the transaction of business on Saturdays, notwithstanding that a Saturday may coincide with a legal holiday other than one of the holidays designated above for banks practicing Saturday closing in compliance with law, and provided further that it shall be optional for any bank, whether practicing Saturday closing or not, to observe as a holiday and to be closed on any day upon which a general election is held throughout the State of Montana and on Veterans' Day, the fourth Monday in October, and on any local holiday which historically or traditionally or by proclamation of a local executive official or governing body is established as a day upon which businesses are generally closed in the community in which the bank is located.'"

And, as amended, do pass.

WORDEN, Chairman

Report adopted.

January 26, 1971

Mr. Speaker: We, your committee on Rules, having had under consideration House Joint Resolution No. 24, report as follows: The rules cannot be suspended in advance of consideration of the question which forms the basis for the suspension. The passage or failure of passage of this Resolution will not affect in any manner other legislation introduced and pending relative to the re-apportionment problem.

HARRISON, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 15, respectfully report as follows: That House Bill No. 15 be amended as follows:

Scott moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 1, of the title of the original and reproduced bill after the word "date" on line 7 by striking the period "." and inserting in lieu thereof the following material ", and amending Section 11-2304, 16-2011 and 75-3904, R.C.M., 1947," and

further amend on page 2, section 2, lines 6 through 9 of the original and reproduced bill after the material "(8%)" by striking the following material "[per annum, unless so provided in the most favorable of two or more proposals for the purchase of the bonds received by the political subdivision after due publication of notice of the sale thereof.]", and

(Material in brackets denotes cancelled type.)

further amend on page 2, lines 18 through 22 by striking all of Section 4 and inserting in lieu thereof the following new sections:

"Section 4. Section 11-2304, R.C.M., 1947, is amended to read as follows:

11-2304. Terms of bonds-rates of interest. No bonds for any purpose shall be issued for a longer term than twenty (20) years, and when bonds are issued for the purpose of refunding bonds heretofore issued and outstanding, such bonds shall not be issued for a longer term than ten (10) years, provided that if the unexpired term of the bonds to be refunded shall be more than ten (10) years, then in such event, the refunding bonds may be issued for such unexpired term. All bonds issued for a longer term than five (5) years may be redeemable at the option of the city or town five (5) years from the date of issue and on any interest payments

date thereafter, and it shall be so recited in the bonds. The maximum rate of interest which any bonds may bear shall be [six per cent (6%)] eight per cent (8%) per annum and shall be payable semi-annually.

(Material in brackets denotes cancelled type.)

Section 5. Section 16-2011, R.C.M., 1947, is amended to read as follows:

16-2011. Term of bonds-power to redeem-maximum interest. No bonds issued for any of the purposes designated in subdivisions (a), (b), or (c), of section 16-2008, shall be for a longer term than twenty (20) years; no bonds issued for any of the purposes designated in subdivisions (d), or (e), of section 16-2008, shall be for a longer term than ten (10) years.

The following limitations as to term shall apply to all bonds issued under subdivision (f) of section 16-2008: No bonds shall be issued for a longer term than ten (10) years, provided, that if the unexpired term of the bonds to be refunded shall be more than ten (10) years then, in such event, the refunding bonds may be issued for such unexpired term; or if such ten (10) year term will require an annual tax levy for payment of such refunding bonds exceeding ten (10) mills on all property subject to taxation in the county, then, in such event, the term may be so extended as to reduce the required annual levy to ten (10) mills, provided, however, that the term shall not under any circumstances exceed (20) years.

No bonds issued for any of the purposes designated in subdivision (g) of section 16-2008 shall be for a longer term than five (5) years.

Bonds issued for any purposes designated in subdivisions (h) and (i) of section 16-2008 shall not be for a longer term than will be required to repay the bonds with interest through a tax levy of ten (10) mills on all the property within the county subject to taxation and the term shall not exceed (20) years. The length of the term required shall be estimated and calculated by the board of county commissioners based upon the percentage of valuation of the property upon which taxes are levied and paid within such county as ascertained from the last completed assessment for state and county taxes taking into account probable changes in the taxable valuation and losses in tax collections, provided, however, that irrespective of any miscalculation by the county commissioners in fixing the term of the bonds the county must from year to year make a sufficient tax levy to pay the interest and installments on principal on the bonds as the same fall due.

All bonds issued for a longer term than five (5) years shall be redeemable at the option of the county five (5) years from the date of issue and on any payment due date thereafter before maturity and shall be so stated on the face of the bonds. The maximum rate of interest which any of such bonds may bear shall be [six per cent (6%)] eight per cent (8%) per annum and shall be payable semiannually.

(Material in brackets denotes cancelled type.)

Section 6. Section 75-3904, R.C.M., 1947, is amended to read as follows:

75-3904. Limitation of term of bonds-interest-redemption. No school district bonds shall be issued for a term longer than twenty (20) years, provided, however, that bonds issued to refund or redeem outstanding bonds shall not be issued for a longer term than ten (10) years, except when the unexpired term of the bonds to be refunded is in excess of ten (10) years, in which case the refunding bonds may be issued for such unexpired term. All bonds shall be redeemable when one-half of the term for which they were issued has expired and on any interest due date thereafter prior to their maturity, and such redemption right must be stated on the face of each bond. The interest shall not exceed [six per centum (6%)] eight per centum (8%) and shall be payable semiannually," and

further amend on page 2, section 5, on line 23 after the word "Section" by striking the "5" and inserting in lieu thereof the number "7".

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 be amended as follows:

Scott moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 1, section 1, line 17 of the original and reproduced bill after the material "[dollars]" by striking the material "[twenty-five dollars (\$25)]" and inserting in lieu thereof the new material "fifteen dollars (\$15)", and

further amend on page 2, section 2, line 1, after the material "[(\$5)]" by striking the material "[ten dollars (\$10)]" and inserting in lieu thereof the new material "seven dollars and fifty cents (\$7.50)", and

further amend on page 2, section 2, line 6 by striking the material "[ten dollars (\$10)]" and inserting in lieu thereof the new material "seven dollars and fifty cents (\$7.50)", and

further amend on page 2, section 3, lines 13 and 14 after the material "[dollars]" by striking the material "[twenty dollars (\$20)]" and inserting in lieu thereof the new material "ten dollars (\$10)", and

further amend on page 2, section 4, line 27 by striking the material "[five dollars (\$5)]" and inserting in lieu thereof the new material "three dollars (\$3)", and

further amend on page 3, section 5, line 6, after the material "[cents]" by striking the material "[five dollars (\$5)]" and inserting in lieu thereof the new material "three dollars (\$3)".

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 283, respectfully report as follows: That House Bill No. 283 do not pass.

SCOTT, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 do pass.

SCOTT, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Joint Resolution No. 30, respectfully report as follows: That House Joint Resolution No. 30 do pass.

SCOTT, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 292, respectfully report as follows: That House Bill No. 292 do pass.

KELLER, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Affairs of Cities, having had under consideration House Bill No. 74, respectfully report as follows: That House Bill No. 74 do not pass.

COX, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Constitution, Elections, and Federal Relations, having had under consideration House Bill No. 268, respectfully report as follows: That House Bill No. 268 do not pass.

HAINES, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 14, respectfully report as follows: That House Joint Resolution No. 14 do pass.

HAINES, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 381, respectfully report as follows: That House Bill No. 381 do pass.

WORDEN, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 424, respectfully report as follows: That House Bill No. 424 do pass.

WORDEN, Chairman

Report adopted.

January 22, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 136, respectfully report as follows: That House Bill No. 136 do not pass.

WORDEN, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 be amended as follows:

Worden moved that the House suspend its Rules and the amendments be considered read at length. Motion carried.

Be amended on page 1, line 8, of the title by inserting after the word "board" the following material: "and providing for an effective date", and

be amended on page 5, line 4, section 1, subsection (3) of the original bill by inserting after the word "act." the following material: "In addition to the other requirements of this Act, a resort area for the purposes of qualification for the issuance of resort retail liquor license must have a current actual valuation of resort or recreational facilities, including land and improvements thereon, of not less than \$500,000.00, at least half of which valuation must be for a structure or structures within the resort area.", and

be further amended on page 7, line 8, section 1, subsection (3) of the original bill, by striking the following material: "[In addition to the other requirements of this act, the applicant for a resort retail liquor license must be the owner or a lessee of a building or a portion thereof, or land, with a current actual valuation of not less than five hundred thousand dollars (\$500,000).]", and

be further amended on page 7, lines 14 and 15, section 1, subsection (3) of the original bill, by striking the following: "[one thousand dollars (\$1,000)]" and inserting in lieu thereof the following: "two thousand five hundred dollars (\$2,500)"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

Report adopted.

WORDEN, Chairman

January 27, 1971

Mr. Speaker: We, your committee on Fish and Game, having had under consideration House Bill No. 428, respectfully report as follows: That House Bill No. 428 do pass.

Report adopted.

SMITH, Chairman

January 27, 1971

Mr. Speaker: We, your committee on Fish and Game, having had under consideration House Bill No. 356, respectfully report as follows: That House Bill No. 356 do not pass.

Report adopted.

SMITH, Chairman

MESSAGES FROM THE SENATE

January 26, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 86, introduced by Moore.

Senate Bill No. 130, introduced by Rosell, et al.

Senate Bill No. 160, introduced by Deschamps and Manning.

Senate Bill No. 7, introduced by Hafferman, et al.

Senate Bill No. 71, introduced by Committee on Highways and Transportation.

Senate Bill No. 140, introduced by Lynch and Turnage.

Senate Bill No. 112, introduced by McKeon.

Senate Bill No. 29, introduced by Rosell, et al.

Senate Bill No. 177, introduced by McCallum, et al.

Senate Bill No. 42, introduced by Mackay.

Senate Bill No. 145, introduced by Lynch, Reardon and Vainio.

Senate Joint Resolution 4, introduced by Hafferman, et al.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

January 26, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 5, introduced by Asbjornson, et al, was this day read third time and concurred in, title and history agreed to, and is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Swan moved that House Bill No. 389 be taken from Committee on State Administration and be placed in Committee on Affairs of Cities. Motion carried.

Swan moved that Committee on State Administration be given seven additional days to consider House Bill No. 223. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 579, introduced by Patrick, Lanthorn, Bennett, Healy, Lombardi, Lockwood, McGrath, Harrison, Brown: A bill for an act entitled: "An act appropriating twenty-seven thousand dollars (\$27,000) to the governor's office from the general fund for the illumination of the capitol building." Referred to Committee on Appropriations.

Senate Bill No. 7, introduced by Hafferman, DeWolfe, Flynn, Rostad, Rugg: A bill for an act entitled: "An act to amend Section 32-2605, R.C.M., 1947, to provide for payment of judgments obtained by building contractors, and the apportionment thereof to state highway construction funds." Referred to Committee on Highways.

Senate Bill No. 29, introduced by Rosell, Turnage, James, Brownfield, McCallum, Drake, Lowe, Cochrane, Graham: A bill for an act entitled: "An act providing for the creation of a confidential relationship between student and school personnel." Referred to Committee on Education.

Senate Bill No. 42, introduced by Mackay: A bill for an act entitled: "An act to revise the Montana Food, Drug and Cosmetic Act to include fair packaging and labeling; amending Sections 27-702, 27-703 and 27-721, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 71, introduced by Highways and Transportation: A bill for an act entitled: "An act creating a committee to conduct a comprehensive study of the administration and operation of the Montana Highway Department in cooperation with the highway commission; specifying an immediate effective date." Referred to Committee on Highways.

Senate Bill No. 86, introduced by Moore: A bill for an act entitled: "An act to amend Section 45-502, R.C.M., 1947, to provide that attorney's fee may not be recovered under Section 93-8614, R.C.M., 1947, unless materialmen give notice to landowners prior to delivery of material that they plan to use a lien to recover any losses not recoverable from contractors." Referred to Committee on Judiciary.

Senate Bill No. 112, introduced by McKeon: A bill for an act entitled: "An act to prohibit the removal of patients from state custodial institutions without permission of the staff." Referred to Committee on State Administration.

Senate Bill No. 130, introduced by Rosell, Mathers, Brownfield, James, McCallum, Keenan, Lowe, Hanks: A bill for an act entitled: "An act to amend Section 75-6808, R.C.M., 1947, relating to pecuniary interests of a trustee in schools of his district." Referred to Committee on Education.

Senate Bill No. 140, introduced by Lynch, Turnage: A bill for an act entitled: "An act to amend Section 93-2908, R.C.M., 1947, providing for a penalty for filing a claim for the direct payment of money in an improper venue, if the plaintiff will not stipulate for such change within ten (10) days after request and a change of venue is granted." Referred to Committee on Judiciary.

Senate Bill No. 145, introduced by Lynch, Reardon, Vainio: A bill for an act entitled: "An act to amend Section 75-6520, R.C.M., 1947, providing for the establishment of high school districts." Referred to Committee on Education.

Senate Bill No. 160, introduced by Deschamps, Manning: A bill for an act entitled: "An act to amend Section 32-2197, R.C.M., 1947, relating to overtaking and passing a school bus." Referred to Committee on Highways.

Senate Bill No. 177, introduced by McCallum, Turnage, Dziwi, Sheehy, McKeon: A bill for an act entitled: "An act to amend Sections 11-1814 and 16-3705, R.C.M., 1947, to provide for the waiving of residency requirements for police officers, deputy sheriffs or marshals." Referred to Committee on Townships and Counties.

Senate Joint Resolution No. 4, introduced by Hafferman, Flynn, Dziwi, Bollinger, Lynch, Shea, Keenan, Rostad, Rosell, Sheehy, Reardon, Vainio, McCallum, Graham, Stein, Broeder, Bennett, McKeon, Lowe, Moritz, Siderius, Hazelbaker, Nees, McOmber, Goodheart, McGowan, Deschamps, Northey, Groff, Brownfield, Rugg, Boylan, Klindt, Stephens, Hanks, Bertsche. A Joint Resolution of the Senate and House of Representatives of the State of Montana, to the President of the United States of America, the Montana Congressional Delegation, the Army Corps of Engineers and the Montana State Planning Board urging early construction of a reregulating dam on Kootenai River mile 208.9. Referred to Committee on Environment and Resources.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 61 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Knudsen. Total 1.

Absent or not voting: Bardanouve, J. Murphy, T. Murphy. Total 3.

House Bill No. 81 was passed by the following vote:

Ayes: Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Selstad, Shelden, E. Smith, Staigmiller, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 78.

Noes: Aber, Asbjornson, Aspevig, Burnett, Cox, East, Falkenstern, Giesick, Hemstad, Kolstad, Kvaalen, Lockrem, McNamer, Mather, T. Murphy, Perry, Prevost, Scott, C. Smith, Snortland, Spilde, Swan, Ulmer, Whitney, Wolf, Mr. Speaker. Total 26.

Absent or not voting: None.

Excused: None.

House Bill No. 101 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: Whitney. Total 1.

Absent or not voting: Harrison. Total 1.

Excused: None.

House Bill No. 109 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: Hall, Marks. Total 2.

Absent or not voting: Spilde. Total 1.

Excused: None.

House Bill No. 110 was passed by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fاسبender, Fleming, Gerke, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockwood, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Nelstead, Quilici, Robbins, Schoonover, Shelden, Snortland, Staigmillier, Swan, Swanberg, Towe, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 68.

Noes: Aber, Ainsworth, Bennett, Burnett, East, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Hemstad, Himsl, Keller, Lanthorn, Lockrem, Lund, McNamer, Marks, Mather, J. Murphy, Nichols, Patrick, Perry, Prevost, Scott, Selstad, C. Smith, E. Smith, Spilde, Sverdsten, Ulmer, Warfield, Whitney, Wolf. Total 35.

Absent or not voting: Lundgren. Total 1.

Excused: None.

House Bill No. 179 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103.

Noes: Giesick. Total 1.

Absent or not voting: None.

Excused: None.

House Bill No. 181 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Cox, Darrow, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrauld, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Sheldon, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Aber, Anderson, Burnett, Clemow, Devine, Giesick, Keller, Kvaalen, Marks, T. Murphy, Nichols, Prevost, Selstad, C. Smith, E. Smith, Staigmiller. Total 16.

Absent or not voting: None.

Excused: None.

House Bill No. 184 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrauld, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: Giesick, Marks, T. Murphy. Total 3.

Absent or not voting: None.

Excused: None.

House Bill No. 191 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrauld, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103.

Noes: None.

Absent or not voting: Clemow. Total 1.

Excused: None.

House Bill No. 194 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Fasbender, Forester, Gerke, Hall, Marks, T. Murphy. Total 6.

Absent or not voting: Bardanouve. Total 1.

Excused: None.

House Bill No. 195 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Clemow, Greely, Gunderson, Hall, Kendall, McKittrick, Mehrens, Nichols, Staigmillar, Sverdsten. Total 10.

Absent or not voting: Weeding. Total 1.

Excused: None.

House Bill No. 201 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Staigmillar, Swanberg, Towe, Ulmer, Warfield, Watt, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 89.

Noes: Burnett, Falkenstern, Hemstad, Lien, Lund, Perry, C. Smith, E. Smith, Snortland, Spilde, Swan, Weeding, Whitney. Total 13.

Absent or not voting: Sverdsten, Zimmer. Total 2.

Excused: None.

House Bill No. 203 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosenä, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 104.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 210 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosenä, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: McNamer. Total 1.

Absent or not voting: Nichols. Total 1.

Excused: None.

House Bill No. 225 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosenä, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, C. Smith, Snortland, Staigmillier, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 93.

Noes: Knudsen, Kvaalen, T. Murphy, Perry, Schoonover, Selstad, E. Smith, Spilde, Swan, Wolf. Total 10.

Absent or not voting: Zimmer. Total 1.

Excused: None.

House Bill No. 232 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 104.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 238 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: Clemow, Himsl, Lien, C. Smith, Swan. Total 5.

Absent or not voting: None.

Excused: None.

House Bill No. 239 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 104.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 306 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Kvaalen, Perry, C. Smith, Whitney. Total 4.

Absent or not voting: None.

Excused: None.

House Joint Resolution No. 12 was passed by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Yardley, Zody, Mr. Speaker. Total 84.

Noes: Ainsworth, Anderson, East, Haines, Hemstad, Keller, McNamer, Olson, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Whitney, Worden. Zimmer. Total 17.

Absent or not voting: McGrath, Patrick, Perry. Total 3.

Excused: None.

House Joint Resolution No. 13 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Shelden, C. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Lien, Mather, T. Murphy, Perry, Scott, Selstad, E. Smith, Spilde, Ulmer. Total 9.

Absent or not voting: Patrick. Total 1.

Excused: None.

THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 5 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Selstad, Shelden, E. Smith, Snortland, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 79.

Noes: Anderson, Baeth, Brand, Christiansen, Edland, Eggebrecht, Fasbender, Gerke, Greely, Gunderson, Hall, Johnston, Lien, Mather, Perry, Schoonover, Scott, C. Smith, Staigmiller, Swan, Swanberg, Weeding, Zimmer. Total 23.

Absent or not voting: Spilde, Sverdsten. Total 2.

Excused: None.

Senate Bill No. 30 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Weeding, Worden, Zody, Mr. Speaker. Total 82.

Noes: Anderson, Forester, Giesick, Gunderson, Hemstad, Keller, McNamer, Norman, Patrick, Perry, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Watt, Whitney, Wolf, Yardley, Zimmer. Total 21.

Absent or not voting: Nichols. Total 1.

Excused: None.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Himsl in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 190 do pass.

That House Bill No. 568 be amended in Section 2, sub-section (c), page 1, line 22, of the original bill, following the word "used" by striking the words "for such purposes"

And further amend on page 1, Section 2, sub-section (c), page 1, line 23, following the word "appropriate" by inserting the words "for parking and traffic control purposes only"

And, as amended, do pass.

That House Bill No. 321 do not pass.

That House Bill No. 199 do pass.

That House Bill No. 299 be amended on page 6, line 2, after the word "issued" by inserting the following words, "without fee"

And, as amended, do pass.

That House Bill No. 332 do pass.

That House Bill No. 212 do pass.

That House Bill No. 411 do pass.

That House Bill No. 518 do pass.

That House Bill No. 348 be amended in the Title by striking the period and adding the words "and providing an effective date."

And, as amended, do pass.

That House Bill No. 261 be amended in the title by striking out in line 6, the period and quotation marks and inserting in lieu thereof the words and punctuation ", and providing an effective date."

And, as amended, do pass.

That House Bill No. 95 do pass.

That House Bill No. 242 be passed for the day.

That House Bill No. 461 be passed for the day.

That House Bill No. 339 be passed for the day.

That House Joint Resolution No. 45 be passed for the day.

That Senate Bill No. 4 be concurred in.

That the Committee rise and report.

HIMSL, Chairman

Himsl moved for adoption of the Committee of the Whole report.

As a substitute motion, Forester moved that House Bill No. 568 be segregated. Motion carried.

Bennett made a substitute motion that House Bill No. 321 be segregated from the Committee of the Whole report, and, as amended, report be adopted.

Hall asked for a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Haines moved the previous question. Motion carried.

The substitute motion failed by the following vote:

Ayes: Baeth, Bennett, Bradley, Christiansen, Clemow, Edland, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Knudsen, Laas, Lanthorn, Lee, Lockrem, McKittrick, McNamer, Mather, Mehrens, J. Murphy, Parrish, Perry, Quilei, Robbins, Schoonover, Scott, Shelden, Staigmillier, Swanberg, Towe, Warfield, Weeding, Yardley, Zody, Mr. Speaker. Total 39.

Noes: Aber, Ainsworth, Anderson, Aspevig, Brand, Brown, Burnett, Campbell, Cox, Darrow, Devine, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Haines, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kvaalen, Lien, Lockwood, Lundgren, McGrath, Marbut, Marks, T. Murphy, Nichols, Norman, Olson, Nelstead, Prevost, Selstad, C. Smith, Snortland, Sverdsten, Swan, Ulmer, Watt, Whitney, Wolf, Worden. Total 49.

Absent or not voting: Asbjornson, Bardanouve, Dye, Eggebrecht, Giesick, Glennen, Harrison, Kosena, Lombardi, Lund, Lynch, Menahan, Patrick, E. Smith, Spilde, Zimmer. Total 16.

Excused: None.

Thereupon the Committee of the Whole report was adopted with House Bill No. 568 segregated.

MOTIONS AND RESOLUTIONS

Forester moved that House Bill No. 339 be taken from Second Reading and be re-referred to Committee on Appropriations. Motion carried.

Forester moved that House Bill No. 568 be re-referred to Committee on Judiciary. Motion carried.

Swan moved that House Bill No. 90 be taken from Committee on State Administration and be re-referred to Committee on Townships and Counties. Motion carried.

Lucas announced that the Attaches had contributed \$100.00 to the Shriners Hospital for Crippled Children in Spokane in memory of John Pierce. The Representatives expressed their appreciation to the Attaches for this gesture by applause.

Harrison moved that the House adjourn until 1:30 p.m., January 28, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

TWENTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 28, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-Fourth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

Mr. Speaker. We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 5.

MARKS, Chairman

January 28, 1971

I have examined House Bill No. 5, introduced by me, and find the same to be correct.

ASBJORNSON

The Speaker signed the following bills in open session: House Bill No. 5, Senate Bill No. 15.

January 28, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 95, 190, 199, 212, 332, 411, 518, 261, 299, 348.

MARKS, Chairman

January 28, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 266, 292, 320, 381, 424, 428, 15, 21, 106, 112, 279, House Joint Resolutions Nos. 14, 30, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 28, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Roger W. Yaeger be added to the payroll as Doorkeeper effective 1/28/71.

And further recommend that Gary Gus Benson, Multilith Clerk, be removed from the payroll effective 1/26/71.

And further recommend that Debbra J. Kessner be added to the payroll as Multilith Clerk effective January 28, 1971.

SPILDE, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 342, respectfully report as follows: That House Bill No. 342 do pass.

WORDEN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 148, respectfully report as follows: That House Bill No. 148 do not pass.

WORDEN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 341, respectfully report as follows: That House Bill No. 341 do pass.

WORDEN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 231, respectfully report as follows: That House Bill No. 231 do pass.

LUNDGREN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 do not pass.

LUNDGREN, Chairman

Lundgren moved adoption of the committee report. As a substitute motion Marbut moved that House Bill No. 124 be printed and placed on Second Reading and requested a Roll Call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Baeth, Bardanouve, Brand, Christiansen, Fasbender, Fleming, Gerke, Gunderson, Haines, Hall, Kendall, Knudsen, Kvaalen, Lien, Marbut, T. Murphy, Norman, Prevost, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Zimmer, Zody. Total 27.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Bradley, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Greely, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Yardley, Mr. Speaker. Total 75.

Absent or not voting: Brown, Lynch. Total 2.

Excused: None.

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 do pass.

SCOTT, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 336, respectfully report as follows: That House Bill No. 336

Be amended on page 2, Section 1, line 7 of the original and reproduced bill by striking the material "[ten]" and inserting in lieu thereof the material "sixty",

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 349, respectfully report as follows: That House Bill No. 349

Be amended on page 1, Section 1, line 25 of the original and reproduced bill after the words "reasonable collection" by adding the words "and attorney's",

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 31, respectfully report as follows: That House Joint Resolution No. 31 do pass.

SCOTT, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 427, respectfully report as follows: That House Bill No. 427 do pass.

FALKENSTERN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 380, respectfully report as follows: That House Bill No. 380

Be amended on line 11 of the title of the original and introduced bill, following the word "equalization" by inserting the following new material "; and providing an effective date", and

As so amended, do pass.

FALKENSTERN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 247, respectfully report as follows: That House Bill No. 247 do pass.

FALKENSTERN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 258, respectfully report as follows: That House Bill No. 258 do pass.

FALKENSTERN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 407, respectfully report as follows: That House Bill No. 407 do pass.

C. SMITH, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 259, respectfully report as follows: That House Bill No. 259 do pass.

C. SMITH, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your Majority Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 159, respectfully report as follows: That House Bill No. 159 do not pass.

KELLER, Chairman
ASBJORNSON
BROWN
FAGG
FITZGARRALD
MARBUT
OLSON
EDLAND
LIEN
NORMAN
YARDLEY
ZODY

January 27, 1971

Mr. Speaker: We, your Minority Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 159, respectfully report as follows: That House Bill No. 159 do pass.

LEE

Keller moved for adoption of the Majority Committee report.

As a substitute motion, Lee moved that the Minority Committee report do pass and that House Bill No. 159 be printed and placed on Second Reading. He asked for a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Cox, Devine, Eggebrecht, Fasbender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Kendall, Knudsen, Kosena, Laas, Lee, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Parrish, Perry, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmler, Swanberg, Towe, Weeding, Yardley, Zimmer. Total 47.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Campbell, Darrow, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrauld, Forester, Haines, Harrison, Hemstad, Himsl, Johnston, Keller, Kolstad, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Norman, Olson, Patrick, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 54.

Absent or not voting: Burnett, Clemow, Watt. Total 3.

Excused: None.

Thereupon, the Majority Committee report was adopted.

January 27, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 251, respectfully report as follows: That House Bill No. 251 do not pass.

KELLER, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 324, respectfully report as follows: That House Bill No. 324

Be amended on page 1, Section 1, line 28, after the words "secretary of" by deleting the word "war" and inserting in lieu thereof the word "defense", and

As so amended, do pass.

SWAN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on State Appropriations, having had under consideration House Bill No. 322, respectfully report as follows: That House Bill No. 322 do pass.

SWAN, Chairman

Report adopted.

January 27, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208

Be amended on page 4 through and including page 5, line 15 through and including line 7, by deleting the material therein in its entirety.

And, as so amended, do pass.

COX, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 27, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence:

Senate Bill No. 113, introduced by McKeon.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

January 27, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 24, introduced by Whitney, et al, was this day read third time and concurred in, as amended, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Forester moved that House Bill No. 461 be taken from Second Reading and be re-referred to Committee on Education. Motion carried.

E. Smith moved that House Bill No. 548 be taken from Committee on Fish and Game and be moved to the Committee on Environment and Resources. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 580, introduced by Burnett, Haines: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, relating to classification of property for taxation." Referred to Committee on Ways and Means.

House Bill No. 581, introduced by Christiansen, Ulmer, Norman, Weed-ing, Zody, East: A bill for an act entitled: "An act to amend Section 84-1302 and 84-1303, R.C.M., 1947, to provide for changed rates of license taxation and setting such new rates; to provide for a changed exemption and setting such exemption and how it may be applied; providing that the Montana State Bureau of Mines and Geology shall be testing agency for this act and giving the Bureau rule-making authority for the purposes of this act; and requiring that samples of coal be submitted to that Bureau; and providing for a limitation on reclamation tax credit." Referred to Committee on Ways and Means.

House Bill No. 582, introduced by Burnett, Jackson, McGrath, Haines, Kvaalen: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, relating to classification of property for taxation, by providing for the classification of cooperatively owned electric generating plants and electric transmission lines." Referred to Committee on Ways and Means.

House Bill No. 583, introduced by Hall: A bill for an act entitled: "An act re-enacting Section 16-1015, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 584, introduced by Bardanouve: A bill for an act entitled: "An act relating to Montana income tax; changing the rate schedule; raising the surtax and replacing exemptions with tax credits; amending Sections 84-4901, 84-4902, 84-4902.1, 84-4910 and 84-4915, R.C.M., 1947." Referred to Committee on Ways and Means.

House Bill No. 585, introduced by Marbut, Norman: A bill for an act entitled: "An act providing a tax on no-deposit containers of beer and soft drinks and providing for distribution of the tax." Referred to Committee on Ways and Means.

Senate Bill No. 113, introduced by McKeon: A bill for an act entitled: "An act to prohibit the sale or distribution of alcoholic beverages and drugs to patients at state custodial institutions." Referred to Committee on Public Health, Welfare and Safety.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 18 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox,

Darrow, Devine, Dye, Eggebrecht, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mather, Menahan, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Shelden, E. Smith, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 78.

Noes: Aspevig, Clemow, East, Ellerd, Falkenstern, Gunderson, Himsl, Kvaalen, Laas, Lundgren, Marks, Robbins, Selstad, C. Smith, Snortland, Spilde, Staigmiller, Swan, Weeding, Whitney, Zimmer. Total 21.

Absent or not voting: Edland, McNamer, Mehrens, J. Murphy, T. Murphy. Total 5.

Excused: None.

House Bill No. 97 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: Ainsworth, McNamer, T. Murphy. Total 3.

Excused: None.

House Bill No. 178 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Baeth, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, East, Edland, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, Norman, Olson, Parrish, Nelstead, Robbins, Schoonover, Scott, Shelden, Staigmiller, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 72.

Noes: Anderson, Aspevig, Bennett, Clemow, Dye, Eggebrecht, Ellerd, Falkenstern, Hemstad, Keller, Kvaalen, Lien, McNamer, Marks, J. Murphy, T. Murphy, Nichols, Patrick, Perry, Prevost, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Ulmer, Whitney, Wolf. Total 30.

Absent or not voting: Bardanouve, Harrison. Total 2.

Excused: None.

House Bill No. 180 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Burnett, Perry. Total 2.

Absent or not voting: Keller, Lund. Total 2.

Excused: None.

House Bill No. 188 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 100.

Noes: Brand, Burnett. Total 2.

Absent or not voting: Keller, Zimmer. Total 2.

Excused: None.

House Bill No. 260 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 99.

Noes: Forester, Haines. Total 2.

Absent or not voting: Menahan, Shelden, Zimmer. Total 3.

Excused: None.

House Joint Resolution No. 10 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barda-nouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Edland, Eggebrecht, Ellerd, Fagg, Falken-ster, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Par-rish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Dye, East, Patrick, Weeding. Total 4.

Excused: None.

THIRD READING OF SENATE BILLS

The following having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 4 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barda-nouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-ster, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hem-stad, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, War-field, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Dye, Himsl, Keller, Lockwood, Mather, Selstad, E. Smith, Ulmer. Total 8.

Absent or not voting: None.

Excused: None.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

A motion was made by Harrison that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Lund in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 14 be passed for the day.

That House Joint Resolution No. 24 be passed for the day.

That House Bill No. 242 do pass.

That House Joint Resolution No. 45 do pass.

That House Bill No. 266 do pass.

That House Bill No. 428 be passed for the day.

That House Joint Resolution No. 14 do pass.

That House Bill No. 381 do pass.

That House Bill No. 320 do pass.

That House Bill No. 292 do pass.

That House Bill No. 424 do pass.

That House Bill No. 279 do pass.

That House Bill No. 112 do pass.

That House Bill No. 21 do pass.

That House Joint Resolution No. 30 do pass.

That the Committee rise and report.

LUND, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Nichols moved that House Bill No. 428 be re-referred to Committee on Fish and Game. Motion carried.

Scott, having voted on the prevailing side in concurring in Senate Bill No. 4 on Third Reading this day, moved that the House recall Senate Bill No. 4 from the Senate. Motion carried.

Scott moved that Senate Bill No. 4 be re-referred to Committee on Business and Industry.

As a substitute motion, Hall moved that Senate Bill No. 4 be re-referred to Committee on Judiciary. Both motions ruled out of order by the Chair.

Kvaalen, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 321, moved that the House reconsider its action. Motion failed.

Harper moved that House Bill No. 326 be taken from Committee on Business and Industry and be re-referred to Committee on Judiciary. Motion carried.

Harrison moved that the House recess until 5:00 p.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 586, introduced by Bennett, Kolstad, Aspevig, Haines, Cox: A bill for an act entitled: "The Montana Retail Sales and Use Tax Act; levying sales and use taxes to support the state government; providing for the administration thereof, and for penalties in case of violation of its provisions." Referred to Committee on Ways and Means.

House Bill No. 587, introduced by Zimmer: A bill for an act entitled: "An act providing for imposition of a wholesale invoice tax; for the amount of a wholesale invoice tax; payment of the tax by distributors to wholesalers; registration of wholesalers; empowering the State Board of Equalization to establish regulations; providing for enforcement of the act by penalties; designating such funds derived to be used as replacement tax on individual homes for school districts via property tax; and formula for such replacement and designation of authority to implement formula." Referred to Committee on Ways and Means.

House Bill No. 588, introduced by Gunderson: A bill for an act entitled: "An act providing for the imposition and collection of a five percent (5%) tax on the occupancy of sleeping accommodations; defining terms; requiring licensing of those offering sleeping accommodations to the public; providing that the State Board of Equalization shall administer the act, and prescribe and publish all rules and regulations as are deemed necessary; providing for a means of appeal; and providing for the deposit of the funds raised by the act." Referred to Committee on Ways and Means.

House Bill No. 589, introduced by Dye: A bill for an act entitled: "An act to establish municipal and regional airport authorities; to provide for a tax levy for operation thereof; to provide for airport commissioners; to provide for the general power of an airport authority; to provide powers of eminent domain for issuance of bonds, and for the establishment of operational uses privileges; to provide for rules and regulations in connection with an airport authority; to provide for acceptance of federal aid for airports; to provide for joint operations of airport facilities and to provide for municipal cooperation in regard to airport operation." Referred to Committee on Business and Industry.

House Bill No. 590, introduced by Towe: A bill for an act entitled: "An act providing for the imposition and collection of a five percent (5%) tax on the occupancy of sleeping accommodations and meals; defining terms; requiring licensing of those offering sleeping accommodations and meals to the public; providing that the State Board of Equalization shall administer the act; providing a means of appeal; providing for the deposit of the funds raised by the act; providing for no increase in rates, coverage or additional similar tax measures without a referendum of the people; and amending Section 84-4906, R.C.M., 1947, to allow a travel deduction from income tax." Referred to Committee on Ways and Means.

Harrison moved that the House adjourn until 1:30 p.m., January 29, 1971. Motion Carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

TWENTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 29, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-fifth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

The Speaker signed the following bills in Open Session: Senate Bills Nos. 30 and 5.

REPORTS OF STANDING COMMITTEES

January 29, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: 21, 112, 242, 266, 279, 292, 320, 381, 424, House Joint Resolutions Nos. 14, 30, 45.

MARKS, Chairman

January 29, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 231, 258, 259, 322, 337, 341, 342, 407, 427, 336, 349, 380, 208, 324, 247, House Joint Resolution 31, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 29, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 505, respectfully report as follows: That House Bill No. 505 do pass.

EAST, Chairman

January 29, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 392, respectfully report as follows: That House Bill No. 392 do pass.

EAST, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 315, respectfully report as follows: That House Bill No. 315 do pass.

EAST, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 be amended as follows:

Be amended on page 1, section 1, line 28, after the word "contributions" and before the word "and" on line 29 by reinstating the following which has been struck out [as provided in section 87-109, (e) (4)]

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

EAST, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 391, respectfully report as follows: That House Bill No. 391 do not pass.

EAST, Chairman

East moved for adoption of the committee report. As a substitute motion McKittrick moved that House Bill No. 391 be printed and placed on Second Reading and requested a Roll Call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand Christiansen, Devine, Edland, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Perry, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 48.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Nestead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Absent or not voting: Eggebrecht. Total 1.

Excused: None.

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 276, respectfully report as follows: That House Bill No. 276 do not pass.

EAST, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 3, respectfully report as follows: That House Resolution No. 3 be adopted.

HOUSE RESOLUTION NO. 3

INTRODUCED BY JACKSON, BRAND, LOCKWOOD, ELLERD.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE INTERSTATE COMMERCE COMMISSION TO CONSIDER THE HARDSHIP UPON THE PEOPLE AND THE STATE OF MONTANA WHEN RULING UPON THE ABANDONMENT OF RAIL LINES IN MONTANA, AND TO HOLD HEARINGS ON SUCH MATTERS IN THE AREA AFFECTED.

WHEREAS, under the Interstate Commerce Act, the Interstate Commerce Commission has jurisdiction over the abandonment of railroad lines in Montana; and

WHEREAS, at the present time, the Interstate Commerce Commission considers only the burden upon interstate commerce, the public need, and usage when determining whether a rail line may be abandoned, without giving due consideration to the impact of such abandonment with the attendant hardship upon the people and the State of Montana; and

WHEREAS, most railroad branch lines parallel primary and secondary roads which are unsuitable for heavy traffic and the cost of building primary roads suitable for heavy traffic is costly to the State of Montana; and

WHEREAS, heavy traffic on existing primary and secondary roads creates costly maintenance and a hazard to the normal flow of traffic; and

WHEREAS, winter conditions in the State of Montana often make existing highways hazardous and at times impossible.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the House of Representatives of the State of Montana recognizes that the public interest and convenience of the people of the State of Montana requires adequate railroad service to all points now served by railroads in Montana, and

BE IT FURTHER RESOLVED, that the House of Representatives of the State of Montana urges the Interstate Commerce Commission to give due consideration to the hardship upon the people and the State of Montana when ruling upon the abandonment of rail lines in Montana, and further urges the Interstate Commerce Commission to hold the hearings upon rail line abandonments and continue such hearings in the area to be affected, and

BE IT FURTHER RESOLVED, that the Secretary of State of Montana be instructed to send copies of this resolution to the Interstate Commerce Commission; John Volpe, Secretary of Transportation; the Honorable Warren C. Magnuson, Chairman of the Senate Interstate and Foreign Affairs Committee; the Honorable Harley O. Staggers, Chairman of the House Interstate and Foreign Commerce Committee; the Honorable Mike Mansfield and Lee Metcalf, Senators from the State of Montana; and the Honorable John Melcher and Richard Shoup, Congressmen from the State of Montana.

WORDEN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 do not pass.

WORDEN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 245, respectfully report as follows: That House Bill No. 245 do not pass.

WORDEN, Chairman

Worden moved for adoption of the committee report. As a substitute motion Hodges moved that House Bill No. 245 be printed and placed on Second Reading and asked for a Roll Call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand, Devine, Dye, Edland, Fagg, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Kendall, Kosena, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Parrish, Perry, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Swanberg, Towe, Watt, Yardley, Zody. Total 42.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, East, Eggebrecht, Ellerd, Falkenstern, Fitzgarrald, Forester, Glennen, Haines, Harrison, Hemstad, Himsl, Jack-

son, Johnston, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Nelstead, Prevost, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Mr. Speaker. Total 58.

Absent or not voting: Christiansen, Giesick, Knudsen, Zimmer. Total 4.

Excused: None.

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 do not pass.

WORDEN, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 do not pass.

WORDEN, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 490, respectfully report as follows: That House Bill No. 490 do pass.

WORDEN, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 545, respectfully report as follows: That House Bill No. 545 do not pass.

WORDEN, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 23, respectfully report as follows: That Senate Bill No. 23 be not concurred in.

E. SMITH, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 549, respectfully report as follows: That House Bill No. 549 do not pass.

E. SMITH, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 do pass.

KELLER, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 285, respectfully report as follows: That House Bill No. 285 do pass.

COX, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 441, respectfully report as follows: That House Bill No. 441 do not pass.

COX, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 417, respectfully report as follows: That House Bill No. 417 do pass.

COX, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Joint Resolution No. 8, respectfully report as follows: That House Joint Resolution No. 8 do not pass.

COX, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 362, respectfully report as follows: That House Bill No. 362 do pass.

SCOTT, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 do pass.

SCOTT, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 344, respectfully report as follows: That House Bill No. 344 do pass.

SCOTT, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 335, respectfully report as follows: That House Bill No. 335 be amended as follows:

Be amended on page 1, line 7, of the original and reproduced bill after the word "highway" by striking the words "or road", and

further amend on page 1, section 1, line 14, after the word "highway" by striking the words "or road"

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 105, respectfully report as follows: That House Bill No. 105 be amended as follows:

Greely moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 1, section 1, subsection 1, line 13, after the words "rate of" through and including line 19 by striking all the material contained therein and inserting in lieu thereof the following material:

"one (1) working day for each month of service without restriction as to the number of working days he may accumulate.

(2) He may not accrue sick leave during a leave of absence without pay, the duration of which exceeds fifteen (15) days. He is entitled to sick leave under the provisions of this act only after being continuously employed for 90 days, upon the completion of which he is entitled to credit for sick leave earned during that period.

(3) Upon separation from service as an employee of the State of Montana or of any county or city thereof, the employee is entitled to a lump-sum payment equal to one-fourth ($\frac{1}{4}$) of the pay attributed to his accumulated sick leave. The pay attributed to his accumulated sick leave shall be computed on the basis of the employees' salary at the time the sick leave accrued. Accrual of sick leave for the purposes of the lump-sum payment provided for in this subsection shall begin when this act becomes effective, and the payment therefor, shall be the responsibility of the State of Montana, or of any county or city thereof, wherein the sick leave accrues. However, no employee forfeits any rights or benefits he has previously accrued with respect to sick leave.

(4) An employee of the State of Montana or of any county or city thereof who receives a lump-sum payment pursuant to this act and who is again employed by the State of Montana or by a county or city thereof may not be credited with any sick leave for which he has previously been compensated.

(5) The Department of Administration of the State of Montana or of any county or city thereof, is responsible for the proper administration of sick leave and shall promulgate such rules and regulations as it deems necessary to implement the uniform administration of sick leave and the prevention of its abuse. When promulgated these rules and regulations are effective as to all employees of the State of Montana or any county or city thereof.

(6) Abuse of sick leave is cause for dismissal and forfeiture of the lump-sum payments provided for in this act."

And, as so amended, do pass.

SWAN, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 be amended as follows:

Be amended on page 1, section 1, line 24, after the word "programs" by striking the word "may" and inserting in lieu thereof the word "shall", and

be further amended on page 3, section 3, lines 25 and 26, after the word "operating", by striking the words and punctuation "public kindergarten,"

And, as so amended, do pass.

Report adopted.

WARFIELD, Chairman

January 29, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 147, respectfully report as follows: That House Bill No. 147 be amended as follows:

Ulmer moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 2, section 3, line 2, after the word "with" by deleting the following material "[the land immediately surrounding the location of the building]" and inserting in lieu thereof the following material "supplementary buildings such as a garage or small storage building normally associated with a residence and not income producing. Habitable property also includes the land occupied by the building, not exceeding a typical town or city lot in area for duplexes or single family dwellings, and for multiple family buildings not exceeding that normally used for such construction considering the number of units and type of construction. Somewhat larger lots may be allowed providing such yards complement the building, are not income producing, and do not lend themselves to separation and development. When habitable property is located on units of land larger than indicated above, and on which additional development may be expected in the future, or which may be income producing, separate listing and taxing of the additional land is required.", and

be further amended on page 2, section 4, line 28, before the word "No" by inserting the number "(1)" and also in the same line 28 before the word "the" by deleting the numbers "[1972]" and inserting in lieu thereof the numbers "1973", and

be further amended on page 3, section 4, line 1 before the word "the" by deleting the number "[1972]" and inserting in lieu thereof the numbers "1973", and

be further amended on page 3, section 4, line 5, before the word "A" by deleting the number "[(1)]" and inserting in lieu thereof the number "(2)", and

be further amended on page 3, section 4, line 9, before the word "A" by deleting the number "[(2)]" and inserting in lieu thereof the number "(3)", and

be further amended on page 3, section 4, line 13, before the word "Forms" by deleting the number "[(3)]" and inserting in lieu thereof the number "(4)", and

(Material in brackets denotes cancelled type.)

be further amended on page 3, section 4, line 15, after the word "income." by adding the following material "The board shall bill the county treasurers for the actual cost incurred in providing these forms, which costs together with other required costs shall be an item in each county treasurer's budget.", and

be further amended on page 3, section 4, line 16, before the word "The" by inserting the number "(5)", and

be further amended on page 3, section 4, after sub-section (5) by inserting the following new sub-section: "(6) After the first year of this law's operation, the Board of Equalization may, if in its judgment sufficient data is not yet available to proceed to the final implementation of the law, or if unanticipated problems have arisen, direct a second year of operation according to the provisions for the first year's operation. If this decision is made the board may also delay for one year the requirements of section 4, sub-sections (1), (2) and (3).", and

be further amended on page 4, section 5, sub-section 1, line 4, after the word "In" by deleting the numbers "[1971]" and inserting in lieu thereof the following material "1972 and thereafter", and

be further amended on page 4, section 5, sub-section 1, lines 6 and 7, after the word "statements." by deleting the following material "[In subsequent years they need not be prepared at all]." and inserting in lieu thereof the following material "When or if a use for these tax statements is not present, they need not be prepared.", and

be further amended on page 4, section 5, sub-section 1, line 22, before the word "unless" by deleting the following numbers "[1971]" and inserting in lieu thereof the following numbers "1972", and

be further amended on page 5, section 5, sub-section 3, line 18, before the word "and" by deleting the numbers "[1972]" and inserting in lieu thereof the numbers "1973", and

be further amended on page 5, section 5, sub-section 3, line 27, after the word "taxpayers." by inserting the following material "Appeals may be taken to the State Board of Equalization.", and

be further amended on page 7, section 7, line 5, after the word "act" by inserting the following material " , or after the second year if the Board of Equalization so determines," and

be further amended on page 10, line 5, by deleting the following material "[Section 14. Effective date. This act is effective on its passage and approval.]"

(Material in brackets denotes cancelled type.)

And be placed on Second Reading without recommendation.

ULMER, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 257, respectfully report as follows: That House Bill No. 257 do not pass.

ULMER, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 267, respectfully report as follows: That House Bill No. 267 do pass.

ULMER, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 352, respectfully report as follows: That House Bill No. 352 be amended as follows:

Be amended on page 1 of the Title of the original and reproduced bill, line 15, after the word "equitable" by adding the following new material " , and to provide an effective date"

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 28, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 77, introduced by Bennett, et al, was this day read third time and passed, title and history agreed to and the bill is herewith transmitted to the House for concurrence.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Cox moved that House Bill No. 14 be moved to the bottom of the list on Second Reading. Motion carried.

Fagg moved that House Joint Resolution No. 24 be taken from Second Reading and re-referred to Committee on Reapportionment. Motion carried.

Nichols moved that House Bill No. 483 be taken from Committee on Townships and Counties and be re-referred to Committee on Livestock and Ranges. Motion carried.

Darrow moved that House Joint Resolutions Nos. 47 and 48 be taken from Committee on Legislative Modernization and be re-referred to Committee on Reapportionment. Motion carried.

Lockrem moved that House Bill No. 15 be taken from Second Reading and be re-referred to Committee on Affairs of Cities. Motion carried.

Burnett moved that House Bill No. 342 be taken from Second Reading and be re-referred to Committee on State Administration. Motion carried.

Falkenstern moved that House Bill No. 427 be taken from Second Reading and be re-referred to Committee on Townships and Counties. Motion carried.

Fasbender moved that House Bill No. 237 and House Bill No. 292 be referred to Rules Committee to determine if House Bill No. 292 was properly introduced. Motion carried.

Marks moved that House Bill No. 335 be taken from Printing and be re-referred to Committee on Livestock and Ranges. Motion carried.

Bardanouve moved that House Bills Nos. 322 and 324 be placed at the top of the list on Second Reading. Motion carried.

FIRST READING AND INTRODUCTION OF BILLS

The following bill was read first time and referred to committee:

Senate Bill No. 77, introduced by Bennett, Hibbard, Deschamps, Mitchell, Turnage, Dzivi, Flynn: A bill for an act entitled: "An act to revise the refuse disposal districting law by amending the service fee section;

amending the section relating to duties and powers of the board of directors; adding a section allowing for creation of joint refuse disposal districts; adding a section defining duty of county attorney; amending Sections 69-6002, 69-6007, and 69-6010, R.C.M., 1947, and repealing Section 16-1031, R.C.M., 1947." Referred to Committee on Townships and Counties.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 95 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Christiansen, Clemow, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Har-rison, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 85.

Noes: Brand, Brown, Burnett, Campbell, Cox, East, Forester, Giesick, Hemstad, Himsl, Keller, Lockrem, McNamer, Perry, Selstad, C. Smith, E. Smith, Swan, Wolf. Total 19.

Absent or not voting: None.

Excused: None.

House Bill No. 190 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fal-kenstern, Fasnender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lan-thorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, Marbut, Marks, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, E. Smith, Snortland, Spilde, Swan, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 87.

Noes: Devine, Forester, Hall, Lynch, McKittrick, McNamer, T. Murphy, Perry, Scott, C. Smith, Staigmiller, Sverdsten, Swanberg, Ulmer, Zimmer. Total 15.

Absent or not voting: Harrison, Mather. Total 2.

Excused: None.

House Bill No. 199 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather,

Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103.

Noes: None.

Absent or not voting: Harrison. Total 1.

Excused: None.

House Bill No. 212 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 104.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 261 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103.

Noes: Bennett. Total 1.

Absent or not voting: None.

Excused: None.

House Bill No. 299 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick,

McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Anderson, Brand, Christiansen, Harrison, T. Murphy, Prevost, Ulmer. Total 7.

Absent or not voting: Lundgren. Total 1.

Excused: None.

House Bill No. 332 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barदानoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: E. Smith, Staigmiller. Total 2.

Absent or not voting: None.

Excused: None.

House Bill No. 348 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barदानoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 104.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 411 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barदानoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Ko-

sen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103.

Noes: Hall. Total 1.

Absent or not voting: None.

Excused: None.

House Bill No. 518 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoon-over, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staig-miller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 103.

Noes: None.

Absent or not voting: Zimmer. Total 1.

Excused: None.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole, for the consideration of business under Second Reading. Motion carried.

Haines in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 322 be amended in the Title by striking the period and inserting the following: “, and providing an effective date.”

And, as so amended, do pass.

That House Bill No. 324 do pass.

That House Bill No. 106 do pass.

That Senate Amendments to House Bill No. 24 be concurred in.

That House Bill No. 341 do pass.

That House Bill No. 231 be passed for the day.

That House Bill No. 337 do pass.

That House Bill No. 247 do pass.

That House Bill No. 258 do pass.

That House Bill No. 407 do pass.

That House Bill No. 259 do pass.

That House Bill No. 336 be amended in the title by striking out in line 10, page 1 of the Judiciary Committee approved bill, the words, figures and punctuation "ten (10)" and inserting in lieu thereof the words, figures and punctuation "sixty (60)"

And, as so amended, do pass.

That House Bill No. 349 be passed for the day.

That House Bill No. 208 be passed for the day.

That House Joint Resolution No. 31 do pass.

That House Bill No. 14 be passed for the day.

That the Committee rise and report.

HAINES, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Hall moved that House Bill No. 208 be taken from Second Reading and be re-referred to Committee on Affairs of Cities. Motion carried.

Swan moved that House Bill No. 446 be taken from Committee on State Administration and be re-referred to Committee on Education. Motion carried.

Burnett moved that House Bill No. 342 be taken from Committee on State Administration and be re-referred to Committee on Business and Industry. Motion carried.

Harrison moved that the House adjourn until 1:30 p.m., January 30, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

TWENTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 30, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Ellerd, Fitzgarrald, Gerke, Hall, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-Sixth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

January 30, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 324, 106, 341, 337, 247, 259, 258, 322, 336, 407, House Joint Resolution No. 31.

MARKS, Chairman

January 30, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 137, 267, 285, 315, 344, 362, 373, 392, 417, 490, 505, 105, 202, 335, 57, 352, 147, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 30, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 442, respectfully report as follows: That House Bill No. 442

Be amended on page 1, line 12 in the title, after the word "funds" by deleting the punctuation and adding in lieu thereof the following material "and provide an effective date.", and

As so amended, do pass.

SWAN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 353, respectfully report as follows: That House Bill No. 353 do pass.

SWAN, Chairman

Swan moved for adoption of the committee report.

As a substitute motion, Brand moved that House Bill No. 353 do not pass and requested that the Ayes and Nays be spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Brand, Christiansen, Edland, Eggebrecht, Fasbender, Gunderson, Harper, Healy, Hodges, Jackson, Johnston, Knudsen, Kosena, Laas, Lee, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Prevost, Quilici, Robbins, Sheldon, E. Smith, Staigmiller, Yardley, Zimmer. Total 35.

Noes: Aber, Ainsworth, Asbjorson, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Fagg, Falkenstern, Fleming, Forester, Giesick, Glennen, Greeley, Haines, Harrison, Hemstad, Himsl, Keller, Kendall, Kolstad, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Parrish, Patrick, Nelstead, Schoonover, Scott, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weed-ing, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 63.

Absent or not voting: Lundgren, Perry. Total 2.

Excused: Ellerd, Fitzgarrald, Gerke, Hall. Total 4.

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 149, respectfully report as follows: That House Bill No. 149 do pass.

SWAN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 317, respectfully report as follows: That House Bill No. 317 do pass.

SWAN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 416, respectfully report as follows: That House Bill No. 416

Be amended on page 1, section 1, line 20, after the words and figure "diem of [\$10.00]" by deleting the figure "\$25.00" and inserting in lieu thereof the figure "\$20.00", and

As so amended, do pass.

SWAN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 303, respectfully report as follows: That House Bill No. 303 do pass.

SWAN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 140, respectfully report as follows: That House Bill No. 140 be amended

Ulmer moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 1, line 7 of the title of the bill by striking the words "[that the temporary]" and inserting in lieu thereof the words "for a temporarily increased", and

Be further amended on page 1, line 9 of the title of the bill by striking the words "[be made permanent]" and inserting in lieu thereof the words ", and providing an effective date." and

Be further amended by striking all of said bill after the enacting clause in the original bill and in the printed bill, and substitute in lieu thereof the following:

"Section 1. Section 8-127, R.C.M., 1947, as amended by Section 1, Chapter 6, Extraordinary Session, Laws of 1969, is amended to read as follows:

"8-127. Additional fees covering motor carriers. In addition to all other licenses, fees and taxes imposed upon motor vehicles in this state and in consideration of the use of the highways of this state, every motor carrier holding a certificate of public convenience and necessity or permit issued by the Board of Railroad Commissioners, shall between the first

and fifteenth days of January, April, July and October of each year, file with the Board of Railroad Commissioners a statement showing the gross operating revenue of such carrier for the preceding three (3) months of operation, or portion thereof, and shall pay to the board a fee of one-half ($\frac{1}{2}$) or one (1) percent of the amount of such gross operating revenue; provided, however, that for the two taxable years commencing on or after April 1, [1969] 1971, the fee shall be five hundred seventy-five thousandths (.575) of one per cent of the amount of such gross operating revenue; and in the event that such carrier operates in interstate commerce, the gross operating revenue of such carrier within this state shall be deemed to be all the revenue received from business beginning and ending within this state, and a proportion based upon the proportion of the mileage within this state to the entire mileage over which the business is done of revenue on all business passing through, into or out of this state; provided, however, that the minimum fee which shall be paid by each class A and class B carrier for each vehicle registered and/or operated under the provisions of the Motor Carrier Act shall be thirty dollars (\$30.00) and the minimum annual fee which shall be paid by each class C carrier for each vehicle registered and/or operated under the Motor Carrier Act shall be fifteen dollars (\$15.00); provided, however, that the minimum annual fee provided by this section shall not apply to either new or used vehicles operated under their own power where such vehicle is being delivered to a dealer and will only be transported once.'

"Section 2. This act is effective on its passage and approval.", and
(Material in brackets denotes cancelled type.)

As so amended, do pass.

ULMER, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 141, respectfully report as follows: That House Bill No. 141 be amended

Ulmer moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, of the Title of the original and reproduced bill, line 7 after the word "provide" be deleting the following words "[that the temporary]" and inserting in lieu thereof the following words "for a temporarily increased", and

Further amend on page 1 of the Title of the original and reproduced bill, line 9 after the figures "(1.438%)" by deleting the following words "[be made permanent]" and inserting in lieu thereof ", and providing an effective date", and

Further amend by striking all of said bill after the enacting clause in the original bill on page 1, after line 12, and inserting in lieu thereof the following "Section 1. Section 84-1601, R.C.M., 1947, as amended by section 1, chapter 5, extra-ordinary session, laws of 1969, is amended to read as follows:

"84-1601. Electrical energy producers' license tax. That in addition to the license tax now provided by law, each and every individual, firm, partnership, common-law trust, corporation, association or other organization now engaged in the generation, manufacture or production of electricity, and electrical energy in the State of Montana, either through water power or by any other means, for barter, sale or exchange and hereinafter referred to as the 'producer,' shall on or before the fifteenth day of each calendar month beginning with the fifteenth day of May, 1969, render a statement to the State Board of Equalization of the State of

Montana, showing the gross amount of money received on account of sales of electricity and electrical energy during the preceding calendar month without any deduction, and shall pay a license tax thereon in the sum of one and one-quarter per cent ($1\frac{1}{4}\%$) of such gross amount as shown on such statement in the manner and within the time hereinafter provided; provided however, that for the two taxable years commencing on or after April 1, [1969] 1971, the tax shall be computed at the rate of one and four hundred thirty-eight thousandths per cent (1.438%).'

"Section 2. This act is effective on its passage and approval."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 142, respectfully report as follows: That House Bill No. 142 be amended

Ulmer moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended in the title of the original bill on page 1, line 7, after the word "provide" by striking the words "[that the temporary]" and inserting in lieu thereof the words "for a temporarily increased", and

Be further amended in the title of the original bill on page 1, line 8, after the word "tax" by striking the words "[be made permanent]" and inserting in lieu thereof the words "and providing an effective date", and,

Further amend the original bill, following line 11, page 1, through and including line 2, page 3, by striking the material therein in its entirety and inserting in lieu thereof the following material:

"Section 1. Section 84-2004, R.C.M., 1947, as amended by section 1, chapter 9, extraordinary session, laws of 1969, is amended to read as follows:

"84-2004. Amount of Tax. The annual license tax to be paid by such person engaged in or carrying on the business of working or operating any mine or mining property in this state from which gold, silver, copper, lead or any other metal or metals, precious or semi-precious gems or stones are produced, shall be one dollar, together with an additional sum or amount computed on the gross value of product which may have been derived by such person from such business, work or operation within this state during the calendar year immediately preceding, at the following rates: one-half of one percent ($\frac{1}{2}$ of 1%) of the amount by which such gross value of product exceeds one hundred thousand dollars (\$100,000) and does not exceed two hundred and fifty thousand dollars (\$250,000); three-fourths of one percent ($\frac{3}{4}$ of 1%) of the amount by which such gross value of product exceeds two hundred and fifty thousand dollars (\$250,000) and does not exceed four hundred thousand dollars (\$400,000); one percent (1%) of the amount by which the gross value of product exceeds four hundred thousand dollars (\$400,000) and does not exceed five hundred thousand dollars (\$500,000) and one and one-fourth percent ($1\frac{1}{4}\%$) of the amount by which the gross value of product exceeds five hundred thousand dollars (\$500,000); provided, however, that for all production obtained during the production years [1969] 1971 and [1970] 1972, the rate of tax shall be fifteen hundredths of one percent (0.15 of 1%) of the first hundred thousand dollars (\$100,000) of the gross value of the product; five hundred seventy-five thousandths of one percent (0.575 of 1%) of the amount by which such gross value of product exceeds one

hundred thousand dollars (\$100,000) and does not exceed two hundred and fifty thousand dollars (\$250,000); eighty-six hundredths of one percent (0.86 of 1%) of the amount by which such gross value of product exceeds two hundred and fifty thousand dollars (\$250,000) and does not exceed four hundred thousand dollars (\$400,000); one and fifteen hundredths percent (1.15%) of the amount by which the gross value of product exceeds four hundred thousand dollars (\$400,000) and does not exceed five hundred thousand dollars (\$500,000) and one and four hundred thirty-eight thousandths percent (1.438%) of the amount by which the gross value of product exceeds five hundred thousand dollars (\$500,000).'

"Section 2. This act is effective on its passage and approval."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 be amended

Ulmer moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Amend the title at page 1, line 7 of the original bill after the word "provide", by striking the words "[that the temporary]" and inserting in lieu thereof the words "for a temporarily increased", and

Further amend the title to said bill, at page 1, line 10 of the original bill, by striking the punctuation and words, "[be made permanent]", and inserting in lieu thereof the following "and providing an effective date.", and

Further amend the original bill, following line 13 on page 1, through and including line 19 on page 2 by striking the material therein in its entirety and inserting in lieu thereof the following material:

"Section 1. Section 84-2102, R.C.M., 1947, as amended by section 1, chapter 8, extraordinary session, laws of 1969, is amended to read as follows:

"'84-2102. Natural gas distributors' license tax—amount—standard for measurement of gas distributed—persons not contemplated by act. Every person engaged in or carrying on the business of distributing to consumers within this state, natural gas, produced, or not produced within this state, or engaged in or carrying on the business of owning, controlling, managing, leasing or operating within this state, any system or plant for the distribution of natural gas, produced, or not produced within this state, to consumers within this state for the purpose of use outside this state, or engaged in or carrying on the business of owning, controlling, managing, leasing, or operating within this state, any system or plant for the distribution of natural gas, produced, or not produced within this state, to consumers within this state must, for the year beginning July 1, 1957, and each year thereafter when engaged in carrying on such business in this state, pay to the state treasurer for the exclusive use and benefit of the State of Montana, a license tax for engaging in and carrying on such business an amount equal to one-half ($\frac{1}{2}$) of one (1) cent for each one thousand (1,000) cubic feet of such natural gas, produced within this state, or not produced within this state, and distributed by such person to consumers within this state, during such year, or conveyed through a pipeline to a point outside this state during such year, except in connection with the operating of natural gas wells from which the same was extracted or produced, or delivered by such person to any other person for sale;

provided, however, for the two taxable years commencing on or after January 1, [1969] 1971, the tax shall be computed at the rate of five hundred seventy-five thousandths (.575) of one cent for each one thousand (1,000) cubic feet of such natural gas, produced within this state, or not produced within this state, and distributed by such person to consumers within this state, during such year, or conveyed through a pipeline to a point outside this state during such year, except in connection with the operating of natural gas wells from which the same was extracted or produced, or delivered by such person to any other person for sale; provided that the standard or base pressure to be used in the measurement of such gas so distributed for determining the amount of license tax imposed hereunder, shall be ten (10) ounces above an atmospheric pressure of fourteen (14) and four-tenths (4/10) pounds per square inch, and at a temperature of sixty (60) degrees Fahrenheit, regardless of the atmospheric pressure and temperature at the point of measurement, and all measurements of gas shall be reduced, by computation, to these standards no matter what may have been the pressure and temperature at which gas was actually produced or measured; provided, however, that nothing in this act shall be construed as requiring laborers, employees, hired or employed, by any person to work on or about, or in connection with any natural gas well property or business, to pay such license taxes, nor shall any work required to be done in prospecting, or in developing, or opening up any natural gas property or plant, be deemed to be carrying on of natural gas business, or engaging in the business of working or operating of a natural gas well or plant; provided further, that if during any such work of developing any natural gas property, any marketable natural gas shall be extracted or produced and sold, then the same shall be deemed the carrying on of a natural gas business of distributing to consumers.'

"Section 2. This act is effective on its passage and approval."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 144, respectfully report as follows: That House Bill No. 144 be amended

Ulmer moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended in the title on page 1, line 7 of the original bill after the word "provide", by striking the words "[that the temporary]" and inserting in lieu thereof the words "for a temporarily increased", and

Further amend the title of the original bill, on page 1, line 10, by striking the punctuation and words, "[be made permanent]", and inserting in lieu thereof the material, "and providing an effective date.", and

Further amend the original bill, following line 13 on page 1, through and including line 11 on page 3, by striking the material therein in its entirety and inserting in lieu thereof the following material:

"Section 1. Section 84-2601, R.C.M., 1947, as amended by Section 1, Chapter 7, Extraordinary Session, Laws of 1969, is amended to read of follows:

"'84-2601. Annual tax levied on gross income of telephone business. That on and after the first day of April, 1957, there is hereby levied and shall be collected an annual tax of one and one-half per cent (1½%) of

the gross income, in excess of two hundred fifty dollars (\$250) quarterly, derived from any telephone business within this state including the transmission of telephone messages in this state, over telephone lines in this state owned by any person, association or corporation; providing, however, that for the two taxable years commencing on or after April 1, [1969] 1971, the tax shall be computed at the rate of one and seven hundred twenty-five thousandths per cent (1.725%) of the gross income, in excess of two hundred fifty dollars (\$250) quarterly, derived from any telephone lines in this state owned by any person, association or corporation; provided, however, that no bill, statement or account rendered or given any customer shall set out or contain, as a separate item, any amount on account or by reason of the license tax imposed by this act. Such annual license tax shall be paid in quarterly installments for the quarters ending respectively March 31, June 30, September 30, and December 31, in each year.'

"Section 2. Section 84-2602, R.C.M., 1947, as amended by Section 2, Chapter 7, Extraordinary Session, Laws of 1969, is amended to read as follows:

"'84-2602. Statement and payment on gross income—certain business excluded. Each and every person, association or corporation liable to tax under this act engaged in carrying on such telephone business in this state shall, within sixty (60) days after the end of each quarter, beginning with the quarter ending June 30, 1969, make out in duplicate and file with the State Board of Equalization, under oath, a statement in such form as the State Board of Equalization may require and prescribe, showing the total gross income of such person, association or corporation derived from the telephone business within this state including the transmission of telephone messages originating and terminating within this state, but excluding therefrom the gross income derived from the transmission of telephone messages passing through this state but both originating and terminating outside of this state and from those originating within but terminating outside of this state during the preceding quarter, and containing such other information as the State Board of Equalization may require; and shall accompany such statement with the payment to the State Board of Equalization of a license tax in the amount equal to one and one-half per cent (1½%); provided, however, that for the two (2) taxable years commencing on or after April 1 [1969] 1971, the rate shall be one and seven hundred twenty-five thousandths per cent (1.725%) of such gross income.'

"Section 3. This act is effective on its passage and approval."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 296, respectfully report as follows: That House Bill No. 296 do pass.

WARFIELD, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 458, respectfully report as follows: That House Bill No. 458 do not pass.

WARFIELD, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 350, respectfully report as follows: That House Bill No. 350 do pass.

SCOTT, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 568, respectfully report as follows: That House Bill No. 568 be amended

Scott moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 1, section 2, subsection (a), line 15 of the original and reproduced bill after the word "fees" by inserting the material "not to exceed ten dollars (\$10) per quarter", and

Further amend on page 1, section 2, subsection (a), line 16 by striking the material "[either on a use basis or on a parking permit system]", and

Further amend on page 1, section 2, subsection (c) on line 22 after the word "used" by striking the material "[for such purposes as the Regents may consider]", and

Further amend on page 1, section 2, subsection (c), line 23 by striking the word "[appropriate]" and inserting in lieu thereof the material "for appropriate maintenance and construction of parking facilities and for traffic control", and

Further amend on page 1, section 2, subsection (e) after the word "of" by striking the word "[administrative]"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 do pass.

WOLF, Chairman

Wolf moved for adoption of the committee report.

As a substitute motion, Lien moved that House Bill No. 205 do not pass. Motion carried, and substitute motion was adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 444, respectfully report as follows: That House Bill No. 444 do pass.

WOLF, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 445, respectfully report as follows: That House Bill No. 445 do not pass.

Report adopted.

WOLF, Chairman

January 30, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 50, respectfully report as follows: That Senate Bill No. 50 be concurred in.

Report adopted.

WOLF, Chairman

January 30, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 206, respectfully report as follows: That House Bill No. 206 do pass.

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Constitutional Convention, having had under consideration Senate Joint Resolution No. 8, respectfully report as follows: That Senate Joint Resolution No. 8 be concurred in.

Report adopted.

J. MURPHY, Chairman

January 30, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 do pass.

Report adopted.

KELLER, Chairman

January 30, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 308, respectfully report as follows: That House Bill No. 308 do pass.

Report adopted.

KELLER, Chairman

January 30, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 309, respectfully report as follows: That House Bill No. 309 do pass.

Report adopted.

KELLER, Chairman

January 30, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 196, respectfully report as follows: That House Bill No. 196 do pass.

Report adopted.

KELLER, Chairman

January 30, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328

Be amended on page 1, section 1, lines 29 and 30 of the original and introduced bill by striking the material therein in its entirety and inserting in lieu thereof the following material "(12) State general or primary election day.", and

As so amended, do pass.

HAINES, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 294, respectfully report as follows: That House Bill No. 294 do pass.

HAINES, Chairman

Report adopted.

January 28, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Joint Resolution No. 22, respectfully report as follows: That House Joint Resolution No. 22

Be amended on page 2, line 2, following the words "attempts to" by striking the following: "to procure from private landowners Indian rock paintings and pictographs located thereon to be preserved as historical sites." and inserting in lieu thereof the following: "negotiate agreements with owners of private lands having Indian rock paintings and pictographs located thereon which will provide for the preservation of such lands as historical sites."

And, as so amended, do pass.

LUNDGREN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 355, respectfully report as follows: That House Bill No. 355

Be amended in the title on page 1, lines 10 and 11 of the original and introduced bill beginning on line 10 of title following "R.C.M., 1947" by striking the following material "[, to increase mileage payments to sheriffs using privately owned vehicles,]" and

As so amended, do pass.

FALKENSTERN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 472, respectfully report as follows: That House Bill No. 472 do pass.

FALKENSTERN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 492, respectfully report as follows: That House Bill No. 492 do pass.

FALKENSTERN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 408, respectfully report as follows: That House Bill No. 408 do pass.

FALKENSTERN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 63, respectfully report as follows: That Senate Bill No. 63 be concurred in.

FALKENSTERN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 427, respectfully report as follows: That House Bill No. 427 be amended as follows:

Falkenstern moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended by striking all of lines 12 through 30, page 1, and all of lines 1 through 13, page 2, and inserting in lieu thereof the following material:

“Section 1. (1) No person, firm or corporation shall construct, alter or move any building or structure or cause or permit the same to be done, when the value of such construction, alteration or building or structure moved exceeds one thousand dollars (\$1,000) without first obtaining a separate building permit for each such building or structure from the board of county commissioners of the county in which such building or structure is located. Any person locating a mobile home as defined in Section 84-101, R.C.M., 1947, within this state must, within sixty (60) days thereafter obtain a permit from the board of county commissioners of the county in which the mobile home is located. This act shall not apply to mobile homes in the inventory of a dealer.

(2) When any city or town within the county issues a permit for construction, alteration or moving a building or structure or a mobile home as defined herein, within its jurisdiction, it shall not be required that a permit be obtained from the board of county commissioners.

Section 2. Every application for a permit as required herein shall contain a legal description of the location of the building, structure or mobile home.

Section 3. Upon receipt of the information required by Section 2 hereof, the boards of county commissioners of the several counties shall issue such permits without charge.

Section 4. The board of county commissioners shall transmit a copy of all such permits to the county assessor.

Section 5. The failure to apply for a permit as required herein shall constitute a misdemeanor and upon conviction shall be punished by a fine of not less than ten dollars (\$10) nor more than three hundred dollars (\$300).”, and

As so amended, do pass.

FALKENSTERN, Chairman

Report adopted.

MESSAGES FROM THE SENATE

January 29, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day passed the following Senate Bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 44, introduced by Thiessen, et al

Senate Bill No. 28, introduced by Bollinger, Bennett and Hafferman.

Respectively,

WALTER H. MARSHALL
Secretary of the Senate

January 29, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House to return Senate Bill No. 4 for further consideration.

Respectively,

WALTER H. MARSHALL
Secretary of the Senate

January 30, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 47, introduced by Groff, et al

Senate Bill No. 165, introduced by Siderius, et al

Senate Bill No. 212, introduced by Mathers, et al

Senate Bill No. 134, introduced by Northey, McCallum, and Hafferman

Senate Bill No. 138, introduced by Klindt, et al

Senate Bill No. 318, introduced by Shea, Sheehy, Flynn

Senate Bill No. 104, introduced by Dzivi, et al

Senate Bill No. 105, introduced by Dzivi, et al

Senate Bill No. 107, introduced by Siderius, et al

Senate Joint Resolution No. 28, introduced by McGowan.

Respectively,

WALTER H. MARSHALL
Secretary of the Senate

January 30, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House Bills, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 103, introduced by Ulmer, Swanberg, and Greely

House Bill No. 77, introduced by Dye

House Bill No. 78, introduced by Dye.

House Bill No. 127, introduced by Fasbender, et al

House Bill No. 128, introduced by Fasbender, et al.

Respectively,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Keller moved that House Bill No. 503 be taken from Committee on Public Health, Welfare and Safety and be placed in the Committee on Judiciary. Motion carried.

Keller moved that House Bill No. 322 be taken from Third Reading and be returned to the Committee on Executive Reorganization. Motion carried.

Keller moved that House Bill No. 307 be taken from Committee on Public Health, Welfare and Safety and be placed in the Committee on Judiciary. Motion carried.

Keller moved that House Bill No. 314 be taken from Committee on Public Health, Welfare and Safety and be placed in Committee on Judiciary. Motion carried.

Devine, having voted on the prevailing side on Senate Bill No. 23, moved that the House reconsider its action in adopting an adverse committee report and recall Senate Bill No. 23 from the Senate. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 4, introduced by Drake: A bill for an act entitled: "An act to amend Section 13-903, R.C.M., 1947, to provide for the rescission of contracts by buyers from 'door-to-door' salesmen." Referred to Committee on Judiciary.

Senate Bill No. 28, introduced by Bollinger, Bennett, Hafferman: A bill for an act entitled: "An act to amend Section 27-612, R.C.M., 1947, to include perishable food dealers." Referred to Committee on Business and Industry.

Senate Bill No. 44, introduced by Thiessen, Stephens, Flynn, Mathers: A bill for an act entitled: "An act relating to the disposition, sale, lease, mortgaging and pledging of electric and telephone cooperatives; and amending Section 14-521, R.C.M., 1947, and providing an effective date." Referred to Committee on Business and Industry.

Senate Bill No. 47, introduced by Groff, Hibbard, Hanks, Mackay, Bennett, Siderius: A bill for an act entitled: "An act to include as persons eligible for medical assistance benefits persons who are in state operated institutions; and not requiring counties to reimburse the state for payments made on behalf of persons in state operated institutions; amending Sections 71-211, 71-402, 71-604, 71-1202, 71-1512, 71-1516, 71-1517, 71-1519, R.C.M., 1947." Referred to Committee on State Administration.

Senate Bill No. 104, introduced by Dzivi, Siderius, Bennett, Turnage: A bill for an act entitled: "An act to amend Section 92-1305, R.C.M., 1947." Referred to Committee on Labor and Compensation.

Senate Bill No. 105, introduced by Dzivi, Siderius, Bennett, Turnage: A bill for an act entitled: "An act to amend Section 92-1304, R.C.M., 1947, defining occupational disease." Referred to Committee on Labor and Compensation.

Senate Bill No. 107, introduced by Siderius, Bennett, Drake, Turnage: A bill for an act entitled: "An act to amend Section 92-1004, R.C.M., 1947, to raise the maximum bonding requirement to \$100,000.00, and providing for a corporate surety bond, approved by the board, in lieu of deposit of bonds." Referred to Committee on Labor and Compensation.

Senate Bill No. 134, introduced by Northey, McCallum, Hafferman: A bill for an act entitled: "An act to amend Sections 28-408, 28-410 and 28-412, R.C.M., 1947, providing for reduction or management of fire hazards, caused by cutting forest products on private forest lands, to be in keeping with modern and progressive forest practices and more effective fire control; providing for an increase not to exceed two dollars and twenty-five cents (\$2.25) per thousand feet log scale for fire hazard reduction on private forest lands; providing for discretion in the State Forester as to whether a cash bond will be required of the owner or operator when a fire hazard reduction agreement is executed; and repealing Sections 28-401 through 28-403." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 138, introduced by Klindt, Lowe, Flynn, Shea: A bill for an act entitled: "An act to provide that the hunting or fishing license or camping permit of any person convicted of littering public or private lands while hunting, fishing or camping shall be forfeited for ninety (90) days." Referred to Committee on Fish and Game.

Senate Bill No. 165, introduced by Siderius, Turnage, Flynn, Bennett: A bill for an act entitled: "An act to amend Section 87-117, R.C.M., 1947, to increase the per diem pay of members of the Employment Security Commission." Referred to Committee on State Administration.

Senate Bill No. 212, introduced by Mathers, Mackay, Thiessen, Graham: A bill for an act entitled: "An act amending Sections 84-2412 and 84-3508, R.C.M., 1947, to delete provisions enabling the State Board of Equalization to pay operating expenses out of fees collected prior to their deposit as revenue to the general fund." Referred to Committee on State Administration.

Senate Bill No. 318, introduced by Shea, Sheehy, Flynn: A bill for an act entitled: "An act to require sixty (60) day notice of cancellation or non-renewal of fire insurance policies and providing a penalty for violation under Section 40-2617, R.C. M., 1947." Referred to Committee on Business and Industry.

Senate Joint Resolution No. 28, introduced by McGowan: A Joint Resolution of the Senate and of the House of Representatives of the State of Montana to the Legislative Council of the State of Montana requesting the formation of an Interim Committee on Weather Modification to advise and assist the Montana Water Resources Board and its Weather Modification Advisory Committee in the development and administration of Montana's part of the National Weather Modification Program. Referred to Committee on Environment and Resources.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, was disposed of in the following manner:

Senate Amendments to House Bill No. 24 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: J. Murphy. Total 1.

Absent or not voting: Fasbender, Laas, Marks. Total 3.

Excused: Ellerd, Fitzgarrald, Gerke, Hall. Total 4.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 14 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Ainsworth. Total 1.

Excused: Ellerd, Fitzgarrald, Gerke, Hall. Total 4.

House Joint Resolution No. 21 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Devine, Greely, Hodges, McKittrick, Perry, C. Smith, Swanberg. Total 7.

Absent or not voting: None.

Excused: Ellerd, Fitzgarrald, Gerke, Hall. Total 4.

House Joint Resolution No. 30 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Staigmler, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 89.

Noes: Anderson, Dye, Falkenstern, Marks, Perry, Selstad, C. Smith, Spilde, Swan, Whitney, Zimmer. Total 11.

Absent or not voting: None.

Excused: Ellerd, Fitzgarrald, Gerke, Hall. Total 4.

House Joint Resolution No. 45 was passed by the following vote.

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynth, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmler, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: None.

Excused: Ellerd, Fitzgarrald, Gerke, Hall. Total 4.

House Bill No. 112 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmler, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Perry, Spilde, Whitney, Wolf. Total 4.

Absent or not voting: Nichols, Parrish, Sverdsten. Total 3.

Excused: Ellerd, Fitzgarrald, Gerke, Hall. Total 4.

House Bill No. 242 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Glennen, Greely, Gunderson, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Asbjornson, Bardanouve, Giesick, Haines, Kvaalen, Lockrem, Olson, Perry, Prevost, C. Smith. Total 10.

Absent or not voting: McGrath, McNamer. Total 2.

Excused: Ellerd, Fitzgarrauld, Gerke, Hall. Total 4.

House Bill No. 266 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Fagg, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Brand, Eggebrecht, Haines, T. Murphy, Olson. Total 5.

Absent or not voting: None.

Excused: Ellerd, Fitzgarrauld, Gerke, Hall. Total 4.

House Bill No. 279 was passed by the following vote:

Ayes: Ainsworth, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Fagg, Falkenstern, Fasbender, Fleming, Greely, Gunderson, Haines, Harper, Healy, Himsl, Hodges, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McKittrick, Marbut, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Nelstead, Quilici, Robbins, Schoonover, Shelden, Snortland, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 64.

Noes: Aber, Andersan, Asbjornson, Burnett, Clemow, Eggebrecht, Forester, Giesick, Glennen, Harrison, Hemstad, Jackson, Johnston, Keller, Kendall, Kolstad, Lockrem, Lundgren, McGrath, McNamer, Marks, Mather, Nichols, Olson, Patrick, Perry, Prevost, Scott, Selstad, C. Smith, E. Smith, Spilde, Swan, Weeding, Wolf, Zimmer. Total 36.

Absent or not voting: None.

Excused: Ellerd, Fitzgarrauld, Gerke, Hall. Total 4.

House Bill No. 320 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Giesick, Kvaalen, Mehrens, Menahan, Nichols, Perry, C. Smith, Spilde, Wolf. Total 9.

Absent or not voting: None.

Excused: Ellerd, Fitzgarrald, Gerke, Hall. Total 4.

House Bill No. 381 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Fagg, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Eggebrecht, Perry, Scott, C. Smith, Wolf. Total 5.

Absent or not voting: None.

Excused: Ellerd, Fitzgarrald, Gerke, Hall. Total 4.

House Bill No. 424 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Perry. Total 1.

Excused: Ellerd, Fitzgarrald, Gerke, Hall. Total 4.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Greely in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 380 do pass.

That House Bill No. 231 do pass.

That House Bill No. 349 do pass.

That House Bill No. 14 do pass.

That House Bill No. 137 do pass.

That House Bill No. 285 be passed for the day.

That House Bill No. 362 do pass.

That House Bill No. 267 do pass.

That House Bill No. 315 do pass.

That House Bill No. 392 be amended on page 4, section 1, subsection 4, line 22, after the word "in" by deleting the following word "[taxable]" and inserting in lieu thereof the following word "total".

And, as so amended, do pass.

That House Bill No. 505 do pass.

That House Bill No. 490 be passed for the day.

That House Bill No. 373 do pass.

That the Committee rise and report.

GREELY, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

J. Murphy moved that House Bill No. 378 be referred to Rules Committee to determine whether this body can act upon it. Motion carried.

Harrison moved that the House adjourn until 12:30 p.m., January 31, 1971.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

TWENTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 31, 1971

House convened, pursuant to adjournment, at 12:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Burnett, Fitzgarrald, Nichols, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-seventh Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

January 31, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 149, 196, 206, 294, 296, 303, 308, 309, 310, 317, 350, 353, 408, 444, 472, 492, 442, 416, 568, 140, 355, 144, 143, 427, 141, 142, 328, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

January 31, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 380, 505, 373, 315, 267, 362, 137, 14, 349, 231, 392.

MARKS, Chairman

January 31, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 519, respectfully report as follows: That House Bill No. 519 do not pass.

SWAN, Chairman

Report adopted.

January 31, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 481, respectfully report as follows: That House Bill No. 481 do pass.

SWAN, Chairman

Report adopted.

January 31, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 200, respectfully report as follows: That House Bill No. 200 do pass.

SWAN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 522, respectfully report as follows: That House Bill No. 522 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the committee report.

As a substitute motion Christiansen moved that House Bill No. 522 be printed and placed on Second Reading.

As a substitute motion for all motions pending, Christiansen moved that further consideration of House Bill No. 522 be postponed to the Fiftieth Legislative Day. Motion failed.

The substitute motion that House Bill No. 522 be printed and placed on Second Reading failed.

The committee report was adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 103, 77, 78, 127, 128.

MARKS, Chairman

January 30, 1971

Mr. Speaker: We, a majority of your Committee on Ways and Means, having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do not pass.

ULMER, Chairman
GIESICK
FALKENSTERN
KELLER
KOLSTAD
LOCKWOOD
LUNDGREN
WORDEN

Mr. Speaker: We, your minority Committee on Ways and Means, having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do pass.

FASBENDER
HEALY
T. MURPHY
NORMAN
SWANBERG
WATT
YARDLEY

Ulmer moved for adoption of the majority committee report.

Fasbender moved for adoption of the minority committee report, as a substitute motion.

Mr. Speaker Pro Tem in the Chair.

Mr. Speaker in the Chair.

As a substitute motion for all motions pending, Giesick moved that House Bill No. 288 be laid on the table. Motion carried.

MOTIONS AND RESOLUTIONS

Hall moved that the Speaker's ruling that a majority vote can take House Bill No. 288 off the table at any time, be spread on the Journal. Motion carried.

Lynch, having voted on the prevailing side, in adopting an adverse committee report on House Bill No. 205, moved that the House reconsider its action and send the bill back to the Committee on Highways. Motion carried.

Selstad, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 458, and that it be printed and placed on Second Reading. A roll call vote was called for. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Asbjornson, Campbell, Clemow, Devine, Dye, Falkenstern, Forster, Giesick, Haines, Hemstad, Keller, Kolstad, Kvaalen, Lien, Lockwood, Lundgren, McNamer, Marks, J. Murphy, Olson, Perry, Nelstead, Selstad, C. Smith, E. Smith, Snortland, Swan, Ulmer, Watt, Weeding, Wolf, Worden, Mr. Speaker. Total 33.

Noes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Cox, Darrow, East, Edland, Eggebrecht, Fagg, Fasbender, Fleming, Gerke, Glennen, Greely, Gundersen, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lanthorn, Lee, Lockrem, Lombardi, Lund, Lynch, McKittrick, Marbut, Mather, Mehrens, Menahan, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Scott, Sheldon, Staigmiller, Sverdsten, Swanberg, Towe, Warfield, Whitney, Yardley, Zimmer, Zody. Total 63.

Absent or not voting: Ellerd, McGrath, T. Murphy, Patrick, Spilde. Total 5.

Excused: Burnett, Fitzgarrald, Nichols. Total 3.

Swan moved that House Bill No. 416 be taken from Second Reading and be re-referred to Committee on State Administration. Motion carried.

Schoonover moved that House Bill No. 472 be taken from Second Reading and be re-referred to Committee on Affairs of Cities. Motion carried.

Keller moved that Senate Bill No. 134 be taken from Public Health, Welfare and Safety and be re-referred to Committee on Environment and Resources. Motion carried.

Harrison moved that House Bills Nos. 308 and 353 be taken from Second Reading and be re-referred to Committee on Executive Reorganization. Motion carried.

Worden moved that House Bill No. 427 be passed for the day. Motion carried.

Whitney moved that House Bill No. 577 be taken from Committee on Appropriations and be re-referred to the Committee on Long-Range Building. Motion carried.

REPORTS OF STANDING COMMITTEES

January 31, 1971

Mr. Speaker: We, your committee on Education, having had under consideration House Bill No. 561, respectfully report as follows: That House Bill No. 561 be amended as follows:

Be amended on page 1, line 4 of the original bill after the word "entitled:" and through and including the word "Montana" on line 6 by striking the material contained therein in its entirety and inserting in lieu thereof the following material "an act to amend Section 75-8601 relating to charges for tuition.", and

Be further amended on page 1, section 1, subsection 1 (a) on line 19 after the word "rates" and through and including the word "and" on line 21, by striking the material contained therein in its entirety and inserting in lieu thereof the following material " , matriculation charges, and incidental fees for students in institutions under their jurisdiction.", and

Be further amended on page 1, section 1, subsection 1 (b) on line 22, after the word "at", by striking the word "[its]" and inserting in lieu thereof the word "their".

And, as so amended, do pass.

Report adopted.

WARFIELD, Chairman

January 31, 1971

I have examined House Bill No. 128, introduced by me, and find the same to be correct.

FASBENDER

January 31, 1971

I have examined House Bill No. 77, introduced by me, and find the same to be correct.

DYE

January 31, 1971

I have examined House No. 78, introduced by me, and find the same to be correct.

DYE

January 31, 1971

I have examined House Bill No. 127, introduced by me, and find the same to be correct.

FASBENDER

January 31, 1971

I have examined House Bill No. 103, introduced by me, and find the same to be correct.

ULMER

The Speaker signed the following bills in open session: House Bills Nos. 128, 77, 78, 127, 103.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Harrison that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Forester in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading recommend as follows:

That House Bill No. 285 do pass.

That House Bill No. 490 do pass.
 That House Bill No. 344 do not pass.
 That House Bill No. 202 do not pass.
 That House Bill No. 105 do pass.
 That House Bill No. 417 do pass.
 That House Bill No. 57 do pass.
 That House Bill No. 352 do pass.
 That House Bill No. 147 be passed for the day.
 That Senate Joint Resolution No. 8 be concurred in.
 That Senate Bill No. 63 be passed for the day.
 That House Bill No. 568 do pass.
 That House Bill No. 140 do pass.
 That House Bill No. 355 be passed for the day.
 That House Bill No. 143 do pass.
 That House Bill No. 142 be passed for the day.
 That House Bill No. 328 do pass.
 That Senate Bill No. 50 be concurred in.
 That House Bill No. 149 be passed for the day.
 That House Bill No. 296 do pass.
 That House Bill No. 317 do pass.
 That House Bill No. 350 do pass.
 That House Bill No. 303 do pass.
 That House Bill No. 444 be passed for the day.
 That House Bill No. 206 do pass.
 That the Committee rise and report.

FORESTER, Chairman

Forester moved for adoption of the Committee of the Whole report.

Christiansen made a substitute motion that House Bill No. 140 be segregated from the report. Motion carried.

Christiansen made a substitute motion that House Bill No. 143 be segregated from the report. Motion carried.

As a substitute motion, Ulmer moved that House Bill No. 328 be segregated from the report. Motion carried.

As a substitute motion, Scott moved that House Bill No. 202 be segregated from the report and asked for a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the substitute motion failed by the following vote:

Ayes: Anderson, Baeth, Bennett, Bradley, Brand, Brown, Darrow, Fagg, Fasbender, Fleming, Forester, Glennen, Gunderson, Haines, Hall, Harper, Healy, Hodges, Jackson, Knudsen, Lee, Lockrem, Lombardi, Lynch,

McGrath, McKittrick, Marbut, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Warfield, Watt, Yardley, Zody. Total 46.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bardanouve, Burnett, Campbell, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Giesick, Greely, Harrison, Hemstad, Himsl, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, Olson, Patrick, Perry, Nelstead, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Weeding, Whitney, Wolf, Worden, Zimmer, Mr. Speaker. Total 55.

Pairs: Burnett, no; J. Murphy, yes; Wolf, no; Bennett, yes; Marks, no; Lockrem, yes.

Absent or not voting: Gerke. Total 1.

Excused: Fitzgarrald, Nichols. Total 2.

Forester then made a substitute motion that the Committee of the Whole report be adopted as amended. Motion carried.

MOTIONS AND RESOLUTIONS

Aspevig, having voted on the prevailing side in adopting an adverse Committee of the Whole report on House Bill No. 202, moved that the House reconsider its action.

Scott asked for a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Baeth, Bennett, Bradley, Brand, Brown, Darrow, Fagg, Fasbender, Fleming, Forester, Gunderson, Haines, Hall, Harper, Healy, Hodges, Jackson, Knudsen, Lee, Lockrem, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Warfield, Watt, Yardley, Zody. Total 44.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bardanouve, Burnett, Campbell, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Giesick, Glennen, Greely, Harrison, Hemstad, Himsl, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, Olson, Patrick, Perry, Nelstead, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Weeding, Whitney, Wolf, Worden, Zimmer, Mr. Speaker. Total 57.

Pairs: Bennett, yes; Wolf, no; Marks, no; Lockrem, yes; Burnett, no; Murphy, yes.

Absent or not voting: Gerke. Total 1.

Excused: Fitzgarrald, Nichols. Total 2.

Christiansen moved that House Bill No. 140 be re-referred to Committee on Ways and Means. Motion carried.

Christiansen moved that House Bill No. 143 be re-referred to Committee on Ways and Means. Motion carried.

Ulmer moved that House Bill No. 328 be re-referred to Committee on State Administration. Motion carried.

Ulmer moved that House Bill No. 141 be taken from Second Reading and be re-referred to Committee on Ways and Means. Motion carried.

Ulmer moved that House Bill No. 142 be taken from Second Reading and be re-referred to Committee on Ways and Means. Motion carried.

Ulmer moved that House Bill No. 144 be taken from Second Reading and be re-referred to Committee on Ways and Means. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 106 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kvaalen, Laas, Lockrem, Lockwood, Lund, McGrath, McKittrick, McNamer, Marbut, Mather, J. Murphy, T. Murphy, Olson, Patrick, Perry, Nelstad, Prevost, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 76.

Noes: Brand, Giesick, Hall, Harper, Healy, Kosena, Lanthorn, Lee, Lombardi, Lynch, Mehrens, Menahan, Norman, Parrish, Quilici, Snortland, Spilde, Staigmiller, Sverdsten, Weeding. Total 20.

Absent or not voting: Gerke, Lien, Lundgren, Marks, Wolf. Total 5.

Excused: Burnett, Fitzgarrald, Nichols. Total 3.

House Bill No. 247 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fal-kenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gun-der-son, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Par-rish, Patrick, Nelstead, Quilici, Robbins, Scott, Shelden, Snortland, Staig-miller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 84.

Noes: Hemstad, Kvaalen, Lockrem, Perry, Prevost, Schoonover, C. Smith, E. Smith, Ulmer, Whitney. Total 10.

Absent or not voting: Gerke, Harrison, Marks, Selstad, Spilde, Sver-d-sten, Wolf. Total 7.

Excused: Burnett, Fitzgarrald, Nichols. Total 3.

House Bill No. 258 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fal-kenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gun-der-son, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Men-ahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nel-

stead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Gerke, Marks, Wolf. Total 3.

Excused: Burnett, Fitzgarrald, Nichols. Total 3.

House Bill No. 259 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKitt-trick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoon-over, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whit-ney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Edland, Knudsen, Perry, Spilde. Total 4.

Absent or not voting: Gerke, Marks, Wolf. Total 3.

Excused: Burnett, Fitzgarrald, Nichols. Total 3.

House Bill No. 324 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKit-trick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Ellerd, Gerke, Marks, Sverdsten, Wolf. Total 5.

Excused: Burnett, Fitzgarrald, Nichols. Total 3.

House Bill No. 336 failed to pass by the following vote:

Ayes: Aspevig, Bardanouve, Christiansen, Eggebrecht, Fasbender, Flem-ing, Greely, Gunderson, Hodges, Johnston, Kendall, Knudsen, Lien, McKitt-ric, Norman, Parrish, Schoonover, Shelden, Swanberg, Towe, Watt, Weed-ing. Total 22.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Baeth, Bennett, Brand, Brown, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Forester, Giesick, Glennen, Haines, Hall, Harper, Har-ri-son, Healy, Hemstad, Himsl, Jackson, Keller, Kolstad, Kosena, Kvaalen,

Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Ulmer, Warfield, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 76.

Pairs: Marks, no; Swanberg, yes.

Absent or not voting: Bradley, Gerke, Wolf. Total 3.

Excused: Burnett, Fitzgarrald, Nichols. Total 3.

House Bill No. 337 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Giesick, Greely, Gunderson, Hall, Harrison, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Lanthorn, Lien, Lockrem, Lockwood, Lundgren, McKittrick, McNamer, Marbut, Mather, J. Murphy, T. Murphy, Norman, Parrish, Patrick, Nelstead, Schoonover, Scott, Selstad, Shelden, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Yardley. Total 63.

Noes: Asbjornson, Devine, Edland, Forester, Glennen, Haines, Harper, Healy, Hemstad, Kolstad, Kvaalen, Laas, Lee, Lombardi, Lund, Lynch, McGrath, Mehrens, Menahan, Olson, Perry, Prevost, Quilici, Robbins, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Ulmer, Whitney, Worden, Zimmer, Zody, Mr. Speaker. Total 35.

Absent or not voting: Gerke, Marks, Wolf. Total 3.

Excused: Burnett, Fitzgarrald, Nichols. Total 3.

House Bill No. 341 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Brand, Knudsen, Kolstad, C. Smith, Spilde, Worden. Total 6.

Absent or not voting: Gerke, Marks, Wolf. Total 3.

Excused: Burnett, Fitzgarrald, Nichols. Total 3.

House Bill No. 407 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath,

McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Darrow, Fagg, Scott. Total 3.

Absent or not voting: Gerke, Marks, Wolf. Total 3.

Excused: Burnett, Fitzgarraird, Nichols. Total 3.

House Joint Resolution No. 31 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-stern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lock-rem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zim-mer, Zody, Mr. Speaker. Total 90.

Noes: Harrison, Himsl, Lien, E. Smith, Spilde, Whitney. Total 6.

Absent or not voting: Gerke, Marks, Mehrens, Patrick, Wolf. Total 5.

Excused: Burnett, Fitzgarraird, Nichols. Total 3.

January 31, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 24.

MARKS, Chairman

January 31, 1971

I have examined House Bill No. 24, introduced by me, and find the same to be correct.

WHITNEY

The Speaker signed House Bill No. 24 in open session.

MOTIONS AND RESOLUTIONS

Ulmer moved that House Bill No. 294 be taken from Second Reading and be re-referred to Committee on State Administration. Motion failed.

Harrison moved that the House adjourn until 1:30 p.m., February 1, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

TWENTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 1, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Robbins, Wolf, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-eighth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

February 1, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 57, 105, 206, 285, 296, 303, 317, 350, 352, 417, 490, 568.

MARKS, Chairman

February 1, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 200, 481, 561, House Joint Resolution No. 22, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 1, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following Pages be removed from the payroll effective January 31, 1971:

Dorothy Breen
Dan Brooks
David Dwyer
Leslie Harrington
Colleen Kelleher

And further recommend that the following be added to the payroll as Pages effective February 1, 1971

Diane Andrikopoulos
Tom Diette
Nancy Holmes
Beverly Lund
Elizabeth Paladin
Elaine Smith
Lisa Swan

And further recommend that the following attaches be removed from the payroll effective dates as listed.

Kathleen Ellen White.....	Multilith Clerk.....	1/31/71
Roger W. Yaeger.....	Doorkeeper.....	1/30/71
Michael F. Sanders.....	Night Watchman.....	1/29/71

And further recommend that the following be added to the payroll effective dates as listed.

Cordell Brown.....	Night Watchman.....	1/30/71
Wayne Gildroy.....	Doorkeeper.....	2/ 1/71

Report adopted.

SPILEDE, Chairman

February 1, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Rules of the Forty-second Legislative Assembly of the State of Montana, respectfully report as follows:

That House Bill No. 292 may not be accepted or considered by the House of Representatives by virtue of the fact that the same subject matter had been considered in House Bill No. 237, which had been killed prior to introduction of House Bill No. 292.

That House Bill No. 378 does not contain a proper subject for introduction as a bill but may be introduced as a resolution.

Report adopted.

HARRISON, Chairman

February 1, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 44, respectfully report as follows: That Senate Bill No. 44 be concurred in.

Report adopted.

WORDEN, Chairman

February 1, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 4, respectfully report as follows: That House Resolution No. 4 be adopted.

Report adopted.

WORDEN, Chairman

HOUSE RESOLUTION NO. 4

INTRODUCED BY FAGG, LOCKREM, GIESICK, GLENNEN,
NELSTEAD, DARROW, COX, TOWE, LUCAS, FORESTER

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES DIRECTING THE LEGISLATIVE ASSEMBLY TO DECLARE DAVE McNALLY AN HONORARY MEMBER OF THE FORTY-SECOND SESSION

WHEREAS, Dave McNally has brought forth worldwide publicity to the State of Montana, and

WHEREAS, he typifies the example for today's youth, and

WHEREAS, his background, life, and current activities typify for the youth in all of the cities in Montana and the United States to excel in their chosen field of endeavor, and

WHEREAS, Dave McNally has proven all these years that he will work with underprivileged and handicapped children in a volunteer capacity, and

WHEREAS, Dave McNally has in school, American Legion, minor and major league baseball proven to be an outstanding athlete and has won twenty (20) or more games each year for the past three (3) years, and has been outstanding in World Series play as a pitcher for the Baltimore Orioles

NOW, THEREFORE, BE IT RESOLVED:

That the Forty-second (42nd) Legislative Assembly hereby declares Dave McNally an honorary member of this session and extends to him our gratitude and support for the exemplary life he has led and his outstanding baseball record, and

BE IT FURTHER RESOLVED, that the legislative assembly commends his mother, Beth McNally, and extends to her sincere appreciation.

February 1, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230

Be amended on page 2, section 1, line 20, after the word "vehicle" by adding the following words and punctuation "or one in his own use," and

Be further amended on page 3, section 1, line 7, after the word "one (1)" by deleting the word "licensed" and adding in lieu thereof the word "license", and

As so amended, do pass.

WORDEN, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 485, respectfully report as follows: That House Bill No. 485 do not pass.

WORDEN, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 377, respectfully report as follows: That House Bill No. 377 do pass.

WORDEN, Chairman

Report adopted.

January 30, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 204, respectfully report as follows: That House Bill No. 204 do pass.

WOLF, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Joint Resolution No. 38, respectfully report as follows: That House Joint Resolution No. 38 do pass.

COX, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 536, respectfully report as follows: That House Bill No. 536 do not pass.

SCOTT, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 401, respectfully report as follows: That House Bill No. 401 do pass.

SCOTT, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 538, respectfully report as follows: That House Bill No. 538 do not pass.

SCOTT, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 34, respectfully report as follows: That House Joint Resolution No. 34

Be amended on page 2, line 8, after the word and punctuation "Engineers." by inserting the following material "and to the Honorable Mike Mansfield, and the Honorable Lee Metcalf, and to the Honorable Richard Shoup, and the Honorable John Melcher." and

As amended, do pass.

E. SMITH, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 do pass.

E. SMITH, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 297, respectfully report as follows: That House Bill No. 297 do not pass.

E. SMITH, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 412, respectfully report as follows: That House Bill No. 412

Be amended on page 1, line 8 of the title of the original and reproduced bill, after the figures and punctuation "1947," by adding the following material "to include the hunting of all wildlife", and

Be further amended on page 1, line 9 of the title of the original and reproduced bill, after the word "thereon" by inserting the following new material "and requiring purchaser of a hunting license be informed of penalties of this act", and

Be further amended on page 1, line 16 after the word "killing" by deleting the words "[game animals or game birds]" and inserting in lieu thereof the following word "wildlife", and

Be further amended on page 1, section 1, subsection 2, line 25 after the word "of" by deleting the following material "[ten (10) years.]" and inserting in lieu thereof the following material "twenty (20) years unless assistance is rendered to the injured or wounded person and the incident duly reported.", and

(Material in brackets denotes cancelled type.)

Be further amended on page 1 following line 28 by adding the following new subsection:

"(3) License agent must inform purchaser of a hunting license of the penalties of this act." and

As so amended, do pass.

WHITNEY, Vice Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 44, respectfully report as follows: That House Joint Resolution No. 44 be adopted.

HAINES, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 375, respectfully report as follows: That House Bill No. 375 do pass.

HAINES, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 374, respectfully report as follows: That House Bill No. 374 do pass.

HAINES, Chairman

Report adopted.

February 1, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234 do pass.

HAINES, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Greely moved that House Bills Nos. 472 and 475 be taken from Committee on Affairs of Cities and be re-referred to Committee on Judiciary. Motion carried.

Scott moved that House Bill No. 423 be taken from Committee on Public Health, Welfare and Safety and be re-referred to Committee on Judiciary. Motion failed.

Worden moved that House Bill No. 319 be taken from Committee on Business and Industry and be re-referred to Committee on Appropriations. Motion carried.

Hall, having voted on the prevailing side, moved that the House reconsider its action in killing House Bill No. 336 in Third Reading on January 31, 1971, and asked for a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Schoonover, Sheldon, Staigmler, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 47.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Jackson, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Worden, Mr. Speaker. Total 54.

Absent or not voting: Brown. Total 1.

Excused: Robbins, Wolf. Total 2.

Himsl moved that House Bill No. 400 be taken from Long-Range Building Committee and placed in Committee on Education. Motion carried.

Himsl moved that House Bill No. 286 be taken from Long-Range Building Committee and placed in Committee on Ways and Means. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 14 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Burnett, Campbell, Christiansen, Clemow, Cox, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Nelstead, Quilici, Robbins, Sheldon, C. Smith, Snortland, Spilde, Staigmler, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 78.

Noes: Asbjornson, Brand, Brown, Darrow, Devine, East, Falkenstern, Hemstad, Keller, Kvaalen, Lanthorn, Olson, Patrick, Perry, Prevost, Schoonover, Scott, Selstad, Swan, Zimmer. Total 20.

Paired: Robbins, yes; Keller, no.

Absent or not voting: Forester, Jackson, Lundgren, McGrath, E. Smith. Total 5.

Excused: Wolf. Total 1.

House Bill No. 137 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McKittrick, Marbut, Marks, Mather, J. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Zimmer, Zody, Mr. Speaker. Total 81.

Noes: Ainsworth, Harper, Healy, Kendall, Kolstad, Lee, Lombardi, Lynch, McGrath, Menahan, T. Murphy, Perry, Quilici, Schoonover, Staigmiller, Worden, Yardley. Total 17.

Absent or not voting: McNamer, Mehrens, Nichols, E. Smith. Total 4.

Excused: Robbins, Wolf. Total 2.

House Bill No. 231 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: None.

Excused: Robbins, Wolf. Total 2.

House Bill No. 267 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: Ellerd. Total 1.

Excused: Robbins, Wolf. Total 2.

House Bill No. 315 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Baranouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: Kvaalen, McNamer, Watt. Total 3.

Absent or not voting: None.

Excused: Robbins, Wolf. Total 2.

House Bill No. 349 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Baranouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Fleming, Perry, Zimmer. Total 3.

Excused: Robbins, Wolf. Total 2.

House Bill No. 362 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Baranouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McKittrick, McNamer, Marbut, Marks, Mather, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Brand, Hall, Healy, Lee, Lombardi, Lynch, McGrath, Mehrens, Menahan, J. Murphy, Schoonover, Scott. Total 12.

Absent or not voting: None.

Excused: Robbins, Wolf. Total 2.

House Bill No. 373 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staig-miller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: None.

Excused: Robbins, Wolf. Total 2.

House Bill No. 380 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Par-rish, Patrick, Nelstead, Quilici, Schoonover, Scott, Shelden, Snortland, Spilde, Staig-miller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Perry, Prevost, Selstad, C. Smith, E. Smith. Total 5.

Absent or not voting: Haines, Weeding. Total 2.

Excused: Robbins, Wolf. Total 2.

House Bill No. 392 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Par-rish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staig-miller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zim-mer, Zody, Mr. Speaker. Total 98.

Noes: Dye, Kvaalen, Perry, Spilde. Total 4.

Absent or not voting: None.

Excused: Robbins, Wolf. Total 2.

House Bill No. 505 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staig-miller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zody, Mr. Speaker. Total 93.

Noes: Ellerd, Falkenstern, Kvaalen, Lien, McNamer, C. Smith, Spilde, Whitney. Total 8.

Absent or not voting: Zimmer. Total 1.

Excused: Robbins, Wolf. Total 2.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 8 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Shelden, C. Smith, E. Smith, Snortland, Staig-miller, Sverdsten, Swan, Towe, Ulmer, Worden, Yardley, Zody, Mr. Speaker. Total 82.

Noes: Bardanouve, Cox, Dye, Fasbender, Gunderson, Hall, Kvaalen, Lien, Marks, Mather, T. Murphy, Scott, Selstad, Spilde, Swanberg, Warfield, Watt, Weeding, Whitney. Total 19.

Absent or not voting: Zimmer. Total 1.

Excused: Robbins, Wolf. Total 2.

Senate Bill No. 50 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Gunderson, Haines, Harper, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Schoon-over, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staig-miller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 85.

Noes: Anderson, Bardanouve, Brand, Edland, Eggebrecht, Giesick, Greely, Hall, Harrison, Jackson, Knudsen, McKittrick, Marks, Norman, Prevost, Weeding. Total 16.

Absent or not voting: Mather. Total 1.

Excused: Robbins, Wolf. Total 2.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

A motion was made by Harrison that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Scott in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 427 do not pass.

That House Bill No. 147 do pass.

That Senate Bill No. 63 be passed for the day.

That House Bill No. 355 do pass.

That House Bill No. 149 be passed until the 32nd Legislative Day.

That House Bill No. 444 do pass.

That House Bill No. 310 be amended in Section 1, page 3, line 23 of the original bill, after the word "and" by striking the following word "[probably]" and inserting in lieu thereof the following word "probable"

And further amend Section 1, page 8, line 22 of the original bill after the word "to" by striking the following word "[promulate]" and inserting in lieu thereof the following word "promulgate".

(Material in brackets denotes cancelled type.)

And as amended do pass.

That House Bill No. 309 be amended in the title of the bill, page 1, line 10 of the original bill, after the word "institutions" by inserting in lieu thereof the following material " , and providing an effective date."

And as so amended, do pass.

That House Bill No. 196 do pass.

That House Bill No. 294 be passed for the day.

That House Bill No. 492 be amended on page 1 by striking lines 23, 24 and 25.

And as so amended, do pass.

That House Bill No. 408 do pass.

That House Bill No. 442 do pass.

That House Bill No. 481 do pass.

That House Bill No. 561 do pass.

That the Committee rise and report.

SCOTT, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Giesick, having voted on the prevailing side in adopting an adverse Committee of the Whole report on House Bill No. 427, moved that the House reconsider its action. Motion failed.

A motion was made by Harrison that the House adjourn until 1:30 p.m., February 2, 1971. Motion carried. House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

THIRTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 2, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Aber, Robbins, Wolf, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-ninth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

February 2, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 204, 234, 347, 374, 375, 377, 401, 412, 230, House Joint Resolutions Nos. 38, 44, 34, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 2, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 147, 196, 355, 408, 444, 481, 561, 309, 310, 442, 492.

MARKS, Chairman

February 2, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that John D. Meyer be added to the payroll as Multilith Clerk effective 2/1/71.

And further recommend that the following Pages be removed from the payroll effective 2/2/71:

Margo Hickman

Steve Malek

SPILDE, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 do not pass.

SWAN, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 275, respectfully report as follows: That House Bill No. 275 be amended as follows:

Be amended on page 1, section 1, line 13, after the word and punctuation "holiday," by inserting the words and punctuation "except Sundays,"

And, as so amended, do pass.

SWAN, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations having had under consideration House Bill No. 395, respectfully report as follows: That House Bill No. 395 be amended as follows:

Be amended on page 1, line 9, after the word "to" of the title by deleting the following words "[nineteen years of age]" and inserting in lieu thereof the following material "the minimum age for voting provided by the constitution of the State of Montana, and establishing residency requirement", and

Be further amended on page 1, section 1, line 24, after the word "the" by deleting the following material "[age of nineteen years, and will have been a resident of Montana one year and of the territory embraced within the boundaries of the new county for a period of one hundred and eighty days on the day next preceding the day of such election]" and inserting in lieu thereof the following material "minimum age provided by the Constitution of the State of Montana and has met the residency requirement for voting provided by the Constitution of the State of Montana"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

HAINES, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 394, respectfully report as follows: That House Bill No. 394 be amended as follows:

Hall moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 1, line 8, of the title, after the word "to" by deleting the word "[nineteen]" and inserting in lieu thereof the following material "the minimum age provided by the constitution of the State of Montana; and providing residency requirement", and

Be further amended on page 1, section 1, subsection 2, line 20 after the word "He" by deleting the following material "[is nineteen (19) years of age or older]" and inserting in lieu thereof "shall be of a minimum age for voting provided by the Constitution of the State of Montana", and

Be further amended on page 1, section 1, subsection 3, line 22, by deleting the following material "[He has resided in the state one (1) year and in the district thirty (30) days immediately preceding the election at which he offers to vote, and]" and inserting in lieu thereof the following material "He has met the residency requirement for voting as provided by the Constitution of the State of Montana; and".

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

HAINES, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 396, respectfully report as follows: That House Bill No. 396 be amended as follows:

Hall moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 1, line 11, of the original and reproduced bill, after the word "to" by striking the words "[nineteen years of age]" and inserting in lieu thereof the following new material in the title of the bill: "the minimum age provided for voting by the constitution of the State of Montana and referring to the residency requirements", and

Be further amended on page 1, lines 29 and 30, and before the word "or" on line 1 of page 2 of the original and reproduced bill, by striking the following material "[who has not been a resident of this state for one year next preceding said election, or who is not twenty-one (nineteen) years of age,]" and inserting in lieu thereof the following new material: "who has not met the residency requirements for voting as provided by the constitution of the state of Montana, or who is not of the minimum age provided by the constitution of the state of Montana," and

(Material in brackets denotes cancelled type.)

Be further amended on page 2, lines 24, 25, 26, before the word "or" on line 26, of the original and reproduced bill, by striking the material therein and inserting in lieu thereof the following new material: "who has not met the residency requirement of the constitution of the state of Montana,"

And, as so amended, do pass.

HAINES, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Joint Resolution No. 32, respectfully report as follows: That House Joint Resolution No. 32 do pass.

LUNDGREN, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Joint Resolution No. 41, respectfully report as follows: That House Joint Resolution No. 41 do pass.

LUNDGREN, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Joint Resolution No. 43, respectfully report as follows: That House Joint Resolution No. 43 do pass.

LUNDGREN, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 413, respectfully report as follows: That House Bill No. 413 do not pass.

SWAN, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 470, respectfully report as follows: That House Bill No. 470 do pass.

SWAN, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 253, respectfully report as follows: That House Bill No. 253 do not pass.

SWAN, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 87, respectfully report as follows: That House Bill No. 87 do not pass.

SWAN, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 491, respectfully report as follows: That House Bill No. 491 do not pass.

WARFIELD, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 489, respectfully report as follows: That House Bill No. 489 do pass.

WARFIELD, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 311, respectfully report as follows: That House Bill No. 311 do not pass.

WARFIELD, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 450, respectfully report as follows: That House Bill No. 450 do pass.

WARFIELD, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 140, respectfully report as follows: That House Bill No. 140 be amended as follows:

Be amended on page 2, section 2, line 23, of the original and introduced bill, after the word "on" by deleting the following material "[its passage and approval]" and inserting in lieu thereof the following material "or after April 1, 1971"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 141, respectfully report as follows: That House Bill No. 141 be amended as follows:

Be amended on page 2, section 2, line 8, of the original and introduced bill, after the word "on" by deleting the following material "[its passage and approval]" and inserting in lieu thereof the following material "or after April 1, 1971"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 142, respectfully report as follows: That House Bill No. 142 do pass.

ULMER, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 do pass.

ULMER, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 144, respectfully report as follows: That House Bill No. 144 be amended as follows:

Be amended on page 3, section 3, line 9, of the original and introduced bill, after the word "on" by deleting the following material "[its passage and approval]" and inserting in lieu thereof the following material "or after April 1, 1971",

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 537, respectfully report as follows: That House Bill No. 537 be amended as follows:

Be amended on line 17, page 1, of the original and reproduced bill after the word "obligation" by striking the words "[and prevail]"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 422, respectfully report as follows: That House Bill No. 422 be amended as follows:

Be amended on page 1, line 4, of the title of the original and reproduced bill before the word "an" by adding the new material "a bill for an act entitled: " " and

Be further amended on page 1, line 8, of the title after the material "herewith." by adding a quotation mark "

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 573, respectfully report as follows: That House Bill No. 573 do not pass.

SCOTT, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 403, respectfully report as follows: That House Bill No. 403 do not pass.

SCOTT, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 571, respectfully report as follows: That House Bill No. 571 do not pass.

SCOTT, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 425, respectfully report as follows: That House Bill No. 425 do not pass.

SCOTT, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 be amended as follows:

Be amended on page 2, section 1, subsection (4), lines 2, 3, and 4 of the original and introduced bill by striking the material therein in its entirety and inserting in lieu thereof the following new material "(4) A deputy registrar appointed under subsection (2) shall receive as compensation for his services the sum of twenty-five cents (25¢) for each elector registered by him."

And, as so amended, do pass.

HAINES, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 399, respectfully report as follows: That House Bill No. 399 be amended as follows:

Be amended on page 5, section 5, subsection (3), lines 9 and 10 by striking and deleting the words "[a county or a multicounty district]", and inserting in lieu thereof the following new material "any district however constituted"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

HAINES, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 262, respectfully report as follows: That House Bill No. 262 do pass.

HEMSTAD, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 263, respectfully report as follows: That House Bill No. 263 do not pass.

HEMSTAD, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 335, respectfully report as follows: That House Bill No. 335 be amended as follows:

Be amended on page 1, following line 16, by adding the following new section "Section 2. For the purpose of this act, "public highway" is defined as the primary or secondary highway system of the state of Montana."

And, as so amended, do pass.

C. SMITH, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Joint Resolution No. 25, respectfully report as follows: That House Joint Resolution No. 25 be not passed.

C. SMITH, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 488, respectfully report as follows: That House Bill No. 488 do not pass.

SELSTAD, Vice Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 554, respectfully report as follows: That House Bill No. 554 do not pass.

KELLER, Chairman

Keller moved for adoption of the committee report.

Burnett asked for a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgerald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staig-miller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Bardanouve, Bradley, Gunderson, Shelden, Yardley. Total 5.

Absent or not voting: Campbell, Lundgren, Mather. Total 3.

Excused: Aber, Robbins, Wolf. Total 3.

MESSAGES FROM THE GOVERNOR

February 1, 1971

Honorable James P. Lucas
Speaker for the House
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed House Bill No. 5.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

February 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House to return Senate Bill No. 23 for further consideration.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 181, introduced by Gilfeather

Senate Bill No. 150, introduced by Drake, et al

Senate Bill No. 251, introduced by James

Senate Bill No. 106, introduced by Siderius, et al

Senate Bill No. 108, introduced by Drake, Lynch, Siderius

Senate Bill No. 110, introduced by Keenan, McDonald, Broeder

Senate Bill No. 111, introduced by Keenan, et al

Senate Bill No. 116, introduced by McKeon, et al

Senate Bill No. 120, introduced by McDonald, et al

Senate Bill No. 121, introduced by Hafferman, et al

Senate Bill No. 127, introduced by Lynch, Broeder

Senate Bill No. 133, introduced by Hafferman, Broeder, Stephens

Senate Bill No. 228, introduced by Drake, DeWolfe

Senate Bill No. 220, introduced by Thiessen, et al

Senate Bill No. 249, introduced by Bollinger, Cotton, Brownfield

Senate Bill No. 13, introduced by Turnage, et al

Senate Bill No. 234, introduced by Sheehy

Senate Bill No. 245, introduced by Lowe, et al

Senate Bill No. 88, introduced by Mather, Groff, (by request)

Senate Bill No. 67, introduced by Turnage, Bennett

Senate Joint Resolution No. 22, introduced by Groff, et al

Senate Joint Resolution No. 12, introduced by Mackay, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Warfield moved that House Joint Resolutions Nos. 35, 36, and 37 be taken from Committee on Education and be placed in Committee on Appropriations. Motion carried.

Scott moved that House Bill No. 415 be taken from Committee on Judiciary and be placed in Committee on Labor and Compensation. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

Senate Bill No. 13, introduced by Turnage, Sheehy, Vainio, Manning, Hazelbaker: A bill for an act entitled: "An act to provide a period of ten (10) years within which an action for damages arising out of certain services or work on improvements to real property must be commenced; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 23, introduced by Klindt, Northey, Stein, Mitchell, Cotton, Graham, Lowe: A bill for an act entitled: "An act amending Section 26-202.1, R.C.M., 1947, to increase the special license fee for taking grizzly bear from one dollar (\$1) to five dollars (\$5) for residents and from twenty-five dollars (\$25) to thirty-five dollars (\$35) for nonresidents and to require a special license fee of five dollars (\$5) for residents and thirty-five dollars (\$35) for nonresidents for taking black or brown bear." Referred to Committee on Fish and Game.

Senate Bill No. 67, introduced by Turnage, Bennett: A bill for an act entitled: "An act to amend Section 87-106, R.C.M., 1947, to provide that permanent partial disability settlements of workmen's compensation, occupational disease, or similar laws, prior to a return to the labor market, shall not disqualify an injured claimant from then receiving unemployment compensation benefits, if he is otherwise eligible." Referred to Committee on Labor and Compensation.

Senate Bill No. 88, introduced by Mathers, Groff (by request): A bill for an act entitled: "An act amending Section 84-1502, R.C.M., 1947, to provide for a net operating loss deduction in computing net income for corporation license tax purposes, and to delete the deduction in subsection (6) relating to insurance companies which deduction has no application to the law." Referred to Committee on Ways and Means.

Senate Bill No. 106, introduced by Siderius, Bennett, Turnage, McDonald: A bill for an act entitled: "An act to amend Section 92-709, R.C.M., 1947, to provide payment of compensation for a 'healing period' in addition to that allowed for loss of a specified member of the body." Referred to Committee on Labor and Compensation.

Senate Bill No. 108, introduced by Drake, Lynch, Siderius: A bill for an act entitled: "An act to amend Section 92-1005, R.C.M., 1947, to raise the minimum assessment from \$10.00 to \$200.00." Referred to Committee on Labor and Compensation.

Senate Bill No. 110, introduced by Keenan, McDonald, Broeder: A bill for an act entitled: "An act to amend Section 92-902, R.C.M., 1947, raising the assessment that the board may levy from two-hundredths of one percent to three-hundredths of one percent." Referred to Committee on Labor and Compensation.

Senate Bill No. 111, introduced by Keenan, Hafferman, Lynch, Graham: A bill for an act entitled: "An act to amend Section 71-1001, R.C.M., 1947, and Section 71-1003, R.C.M., 1947, to define the disability necessary to qualify for silicosis benefits, and provide for payment of benefits to beneficiaries in certain cases." Referred to Committee on Labor and Compensation.

Senate Bill No. 116, introduced by McKeon, Siderius, Bennett, Turnage: A bill for an act entitled: "An act to amend Section 92-1403, R.C.M., 1947, to delete the words 'away from home'." Referred to Committee on Labor and Compensation.

Senate Bill No. 120, introduced by McDonald, Deschamps, McCallum, Flynn: A bill for an act entitled: "An act to amend Section 92-422, R.C.M., 1947, to re-define a 'week' to mean five working days." Referred to Committee on Labor and Compensation.

Senate Bill No. 121, introduced by Hafferman, Drake, McDonald, Mackay: A bill for an act entitled: "An act to amend Section 92-208, R.C.M., 1947, to empower the board to issue rules and regulations covering, and in all cases require board approval of, rejection of coverage by officers of private corporations." Referred to Committee on Labor and Compensation.

Senate Bill No. 127, introduced by Lynch, Broeder, Siderius: A bill for an act entitled: "An act to amend Section 92-1121, R.C.M., 1947, to delete the provision that salary and wages paid during actual vacation periods shall not be computed in computing payroll." Referred to Committee on Labor and Compensation.

Senate Bill No. 133, introduced by Hafferman, Broeder, Stephens: A bill for an act entitled: "An act to amend Section 92-411, R.C.M., 1947, so as to define an 'employee' to include vocational rehabilitation and other on-the-job trainees, whether or not under any appointment or contract of hire, and provide that members of a partnership and owners of sole proprietorships may elect to be considered an 'employee' for workmen's compensation coverage purposes." Referred to Committee on Labor and Compensation.

Senate Bill No. 150, introduced by Drake, Moore, McKeon, Lynch: A bill for an act entitled: "An act to provide that agreements in contracts actually entered into in Montana purporting to change the place that the contract is entered into to a state other than Montana are void and illegal." Referred to Committee on Judiciary.

Senate Bill No. 181, introduced by Gilfeather: A bill for an act entitled: "An act to amend Section 84-4946, R.C.M., 1947, to provide for monthly payments to the State Board of Equalization of amounts withheld, if the amount withheld is fifty dollars (\$50) or more in each quarterly period of any year, and providing an effective date." Referred to Committee on Ways and Means.

Senate Bill No. 220, introduced by Thiessen, Graham, Mathers, Mackay: A bill for an act entitled: "An act to amend Section 79-1202, R.C.M., 1947, to provide that moneys in the long and short term investment funds may be invested in interest bearing certificates of deposit and to provide that moneys in the long term investment fund may be invested in obligations of the United States Postal Service." Referred to Committee on Business and Industry.

Senate Bill No. 228, introduced by Drake, DeWolfe: A bill for an act entitled: "An act to amend Section 93-8625, R.C.M., 1947, relating to who may sue without costs." Referred to Committee on Judiciary.

Senate Bill No. 234, introduced by Sheehy: A bill for an act entitled: "An act to amend Section 72-118, R.C.M., 1947, relating to power of the Board of Railroad Commissioners to change, alter, or amend classifications, rates and rules for transportation by railroad; providing methods for changing such classifications, rates and rules and for investigation by the Board of Railroad Commissioners; repealing all acts or parts of acts in conflict herewith and providing that the act shall be effective on passage and approval." Referred to Committee on Business and Industry.

Senate Bill No. 245, introduced by Lowe, Cochrane, Bertsche, Deschamps, Shea, Manning: A bill for an act entitled: "An act to provide that a county shall not circumvent any competitive bidding procedures with respect to the letting of a contract for a public work or construction project under certain circumstances by dividing a public work or construction project into several contracts, separate work orders or similar devices." Referred to Committee on Townships and Counties.

Senate Bill No. 249, introduced by Bollinger, Cotton, Brownfield: A bill for an act entitled: "An act amending Section 75-7810, R.C.M., 1947, by requiring the home counties of mentally and physically handicapped children to pay tuition to local school districts where such children attend regardless of whether such children are residing at a state institution and shall include transportation payments." Referred to Committee on Education.

Senate Bill No. 251, introduced by James: A bill for an act entitled: "An act to amend Section 75-8427, R.C.M., 1947, by deleting unnecessary language." Referred to Committee on Education.

Senate Joint Resolution No. 12, introduced by Mackay, McGowan, Turnage, Groff: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the Honorable United States Senators and Representatives from the State of Montana to examine the feasibility of updating the rules and regulations governing mining operations on public land. Referred to Committee on Environment and Resources.

Senate Joint Resolution No. 22, introduced by Groff, James, Flynn, Lyon, Mathers, Moore, Bollinger, Vainio, Hazelbaker: A Joint Resolution of the Senate and House of Representatives reserving the third and fourth floors of the capitol for legislative use only after construction of the new supreme court and law library building. Referred to Committee on Long Range Building.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 57 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falckenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glenen, Greely, Gundersen, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: None.

Excused: Aber, Robbins, Wolf. Total 3.

House Bill No. 105 was passed by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow,

Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fashbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Scott, Shelden, C. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Ainsworth, Burnett, Perry, Selstad, E. Smith, Whitney. Total 6.

Absent or not voting: Mather, Sverdsten. Total 2.

Excused: Aber, Robbins, Wolf. Total 3.

House Bill No. 206 was passed by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fashbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Towe, Ulmer, Warfield, Weeding, Whitney, Worden, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Gunderson, Lien, Swanberg, Watt, Yardley. Total 5.

Absent or not voting: Ainsworth. Total 1.

Excused: Aber, Robbins, Wolf. Total 3.

House Bill No. 285 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fashbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Hodges, McGrath. Total 2.

Excused: Aber, Robbins, Wolf. Total 3.

House Bill No. 296 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow,

Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Zimmer. Total 1.

Excused: Aber, Robbins, Wolf. Total 3.

House Bill No. 303 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Burnett, Kvaalen, C. Smith, E. Smith, Whitney. Total 5.

Absent or not voting: None.

Excused: Aber, Robbins, Wolf. Total 3.

House Bill No. 317 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Brown, Fagg, Giesick, Hemstad, Lien, Lockrem, Perry, Scott, Selstad, Whitney. Total 10.

Absent or not voting: Haines. Total 1.

Excused: Aber, Robbins, Wolf. Total 3.

House Bill No. 350 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Mather. Total 1.

Excused: Aber, Robbins, Wolf. Total 3.

House Bill No. 352 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Brown, Lien, Lundgren, Sverdsten, Weeding. Total 5.

Absent or not voting: Bardanouve. Total 1.

Excused: Aber, Robbins, Wolf. Total 3.

House Bill No. 417 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Mather, Staigmilller. Total 2.

Excused: Aber, Robbins, Wolf. Total 3.

House Bill No. 490 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 98.

Noes: Perry, Staigmiller. Total 2.

Absent or not voting: Zimmer. Total 1.

Excused: Aber, Robbins, Wolf. Total 3.

House Bill No. 568 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Bardanouve, Cox, Giesick, Healy, Lockrem, Lombardi, Lynch, Perry, Scott. Total 9.

Absent or not voting: None.

Excused: Aber, Robbins, Wolf. Total 3.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Knudsen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 294 be amended in the title on lines 8 and 9 of the original bill after the word "that" by striking the following words: "[Good Friday shall be a legal holiday and that]"

And be further amended on page 1, Section 1, subsection (5), line 23, of the original bill, by striking the following material in its entirety: "[Good Friday, the Friday preceding Easter Sunday]."

(Material in brackets denotes cancelled type.)

And be further amended on page 1, line 24 through 29, by renumbering the subsections (6) through (11) to (5) through (10)

And be further amended on page 2, lines 1 and 2, by renumbering subsections (12) and (13) to (11) and (12).

And, as amended, do not pass.

That House Bill No. 200 be amended in the title by striking the period and add the following: "and providing an effective date."

And be further amended in Section 1, sub-section (2), page 1, line 22 of the reproduced bill, following the word "section" by striking all the material contained therein and inserting in lieu thereof the following new material "40-2726 (fees and licenses)."

And, as amended, do pass.

That House Joint Resolution No. 22 do pass.

That Senate Bill No. 44 be passed to the bottom of the list.

That Senate Bill No. 63 be amended on page 5, line 19, of the original and reproduced bill by adding a new section as follows: "Section 2. The governing body of any city, town or county which has formed a planning board and adopted a comprehensive plan and subdivision regulations pursuant to Title 11, Chapter 38, R.C.M., 1947, shall seek the advice of the appropriate planning board in all matters pertaining to the approval or disapproval of plats or subdivisions."

And, as amended, be concurred in.

That House Bill No. 377 do pass.

That House Bill No. 204 do pass.

That House Bill No. 401 do pass.

That House Bill No. 375 do not pass.

That House Bill No. 234 do pass.

That House Joint Resolution No. 34 be passed for the day.

That House Joint Resolution No. 44 do pass.

That House Bill No. 374 be passed for the day.

That House Bill No. 230 do pass.

That House Bill No. 347 be passed for the day.

That House Bill No. 412 do pass.

That House Joint Resolution No. 38 do pass.

That Senate Bill No. 44 be concurred in.

That the Committee rise and report.

KNUDSEN, Chairman

Knudsen moved for adoption of the Committee of the Whole report.

Gunderson made a substitute motion that House Bill No. 230 be segregated from the Committee of the Whole report and that the report be adopted as amended. Motion carried.

Harrison moved that the Rules committee consider amendments to Joint Rules 6-22, 6-2, 6-25, 6-39 for the purpose of bringing these rules up-to-date and in conformity with the Senate. Motion carried.

Harrison moved that the House adjourn until 1:30 p.m., February 3, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

THIRTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 3, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker Pro Tem in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Aber, Zimmer, Mr. Speaker, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirtieth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSSEN

REPORTS OF STANDING COMMITTEES

February 3, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 262, 450, 470, 489, 140, 141, 144, 275, 335, 385, 394, 395, 396, 399, 422, 537, House Joint Resolutions Nos. 32, 41, 43, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 3, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 204, 234, 377, 401, 412, 200, House Joint Resolution Nos. 22, 38, 44.

MARKS, Chairman

February 3, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 555, respectfully report as follows: That House Bill No. 555 do pass.

E. SMITH, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 343, respectfully report as follows: That House Bill No. 343

Be amended on page 3, section 2, subsection (b), line 9, after the word and punctuation "vessel," by inserting the following material "or any other floatation equipment," and

As amended, do pass.

E. SMITH, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 438, respectfully report as follows: That House Bill No. 438 do pass.

E. SMITH, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 447, respectfully report as follows: That House Bill No. 447 be amended

Scott moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 2, section 1, subsection (a), line 9 of the original and reproduced bill after the words "to the" by striking the words "[legal owner]" and inserting in lieu thereof the word "lienholder", and

(Material in brackets denotes cancelled type.)

Be further amended on page 2, section 1, subsection (a), line 10 after the word "lien" by adding the material "and said lienholder shall be entitled to retain possession of the certificate of ownership until the debt which the lien secures is fully paid notwithstanding any of the provisions of R.C.M., 1947, 53-107.", and

Be further amended on page 3, section 1, subsection (d), line 24 after the word "release" by adding the material "duly acknowledged", and

Be further amended on page 3, section 1, subsection (d), line 26 after the material "register." by adding the material "Upon request of the owner", and

Be further amended on page 3, section 1, subsection (d), line 28 after the word "ownership" by adding the material "and properly acknowledge the same", and

Be further amended on page 3, section 1, subsection (d), line 29 after the word "endorsed" by adding the new material "and acknowledged"

And as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 542, respectfully report as follows: That House Bill No. 542 do not pass.

COX, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 487, respectfully report as follows: That House Bill No. 487 do pass.

COX, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 209, respectfully report as follows: That House Bill No. 209 do not pass.

COX, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 513, respectfully report as follows: That House Bill No. 513 do not pass.

LUNDGREN, Chairman

Darrow moved for adoption of the committee report.

As a substitute motion, Knudsen moved that House Bill No. 513 be printed and placed on Second Reading. Knudsen then withdrew the substitute motion.

Committee report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 426, respectfully report as follows: That House Bill No. 426

Be amended on page 1, section 1, lines 23, 24 and 25 after the word "meets" by deleting the following material "[The American National Standards Institute—Safety Requirements for Aerial Passenger Tramways" ANSI B77.1—1970, or equivalent]", and insert in lieu thereof the following material "the rules and regulations as set forth by the Montana state aerial tramway board", and

Be further amended on page 6, line 30, and page 7, line 1, after the word "it." by deleting the following material "[The rules and regulations authorized hereunder shall be]" and inserting in lieu thereof the following material "In adopting such rules and regulations the board shall use as a guidelines", and

Be further amended on page 7, section 10, line 7 after the word "tramways" by inserting the following material ", and shall hold hearings and take in all evidence relating to the adoption of these rules and regulations", and

As so amended, do pass.

WORDEN, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 482, respectfully report as follows: That House Bill No. 482 do pass.

WORDEN, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 495, respectfully report as follows: That House Bill No. 495 do not pass.

Report adopted.

WORDEN, Chairman

February 3, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 313, respectfully report as follows: That House Bill No. 313 do pass.

Report adopted.

WORDEN, Chairman

February 3, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 494, respectfully report as follows: That House Bill No. 494 do not pass.

Report adopted.

WORDEN, Chairman

February 3, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 342, respectfully report as follows: That House Bill No. 342 do pass.

Report adopted.

WORDEN, Chairman

February 3, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 325, respectfully report as follows: That House Bill No. 325 do not pass.

Report adopted.

WORDEN, Chairman

February 3, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 do pass.

Report adopted.

HAINES, Chairman

February 3, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 404, respectfully report as follows: That House Bill No. 404 do not pass.

Report adopted.

HAINES, Chairman

February 3, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 272, respectfully report as follows: That House Bill No. 272 be amended

Hall moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 2, section 1, lines 6 and 7 of the introduced bill, after the words "ability of the" by striking the following material "[state and of its counties, cities, towns and]", and

Be further amended on page 2, section 1, line 8 of the introduced bill, after the word "districts" by striking the following material "[and other political subdivisions]", and

Be further amended on page 2, section 1, line 11, following the word "valid" insert the word and punctuation "levies," and

Be further amended on page 2, section 1, line 16, before the word "debt" insert the word "levy," and

Be further amended on page 2, section 1, line 21, by striking the word "[public]" and inserting in lieu thereof the following material "school district levy," and

(Material in brackets denotes cancelled type.)

Be further amended on page 2, lines 23 through 27 inclusive, following the word "constitution" on line 23, delete all of the material contained therein in its entirety and insert in lieu thereof a period ".", and

As so amended, do pass.

HAINES, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 478, respectfully report as follows: That House Bill No. 478

Be amended on page 1, section 1, line 23 of the introduced bill, after the word "election" strike the word "[or]" and insert in lieu thereof the following material "and those", and

As so amended, do pass.

HAINES, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 520, respectfully report as follows: That House Bill No. 520 do pass.

HAINES, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 477, respectfully report as follows: That House Bill No. 477 do pass.

SCOTT, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 437, respectfully report as follows: That House Bill No. 437 do pass.

SCOTT, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 454, respectfully report as follows: That House Bill No. 454 do not pass.

SCOTT, Chairman

Report adopted.

February 3, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 535, respectfully report as follows: That House Bill No. 535 do not pass.

SCOTT, Chairman

Report adopted.

January 29, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Joint Rules of the Forty-second Legislative Assembly of the State of Montana, respectfully report as follows: That the following amendments to the said rules be adopted:

Joint Rule 6-22 delete the words "eleven hundred" and insert in lieu thereof the words "not less than six hundred"

Joint Rule 6-2 in line 2 thereof, after the word "with" and before the word "numbered" insert the words and figures "thirty (30)"

Joint Rule 6-25 in line 9 thereof, after the letter "a" and before the word "bill" insert the words "committee approved"

Joint Rule 6-39 in paragraph 3, line 4 thereof, delete the following words "If the bill is printed, the note shall be mimeographed" and insert in lieu thereof "All Fiscal notes shall be printed."

HARRISON, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 2, 1971

Honorable James P. Lucas
Speaker for the House
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed the following measures:

House Bill No. 24,
House Bill No. 77,
House Bill No. 78,
House Bill No. 103,
House Bill No. 127, and
House Bill No. 128.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

February 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 244, introduced by Lowe, et al
Senate Bill No. 115, introduced by McKeon, et al
Senate Bill No. 22, introduced by Northey, et al
Senate Bill No. 178, introduced by McCallum, et al
Senate Bill No. 247, introduced by Northey, McCallum, Deschamps
Senate Bill No. 297, introduced by James, et al
Senate Bill No. 336, introduced by Rosell, James, Mathers
Senate Bill No. 56, introduced by Mathers, et al
Senate Bill No. 236, introduced by Mathers, Brownfield, Thiessen
Senate Bill No. 83, introduced by Graham, et al
Senate Bill No. 232, introduced by Shea, et al
Senate Joint Resolution No. 23, introduced by Mitchell, et al
Senate Joint Resolution No. 16, introduced by Hazelbaker, et al
Senate Joint Resolution No. 7, introduced by Hafferman, et al
Senate Joint Resolution No. 19, introduced by Lyon, James, Stephens
Senate Joint Resolution No. 29, introduced by McGowan, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Warfield moved that House Bill No. 364 be taken from Committee on Education and placed in Committee on Business and Industry. Motion carried.

Falkenstern moved that House Bill No. 346 be taken from Committee on Townships and Counties and placed in Committee on Ways and Means. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees, with appropriation bills read at length:

House Bill No. 591, introduced by Gunderson, Swanberg, Greely, Cox, McKittrick, Hodges, Staigmilller, Hall, Fasbender, Selstad, Keller, Watt, Quilici, Harrison: A bill for an act entitled: "An act appropriating two million dollars (\$2,000,000) to the State Board of Education from the long-range building program account, bond proceeds and insurance clearance fund, for construction of an area Vocational-Technical Center at Great Falls, Montana, for the biennium ending June 30, 1973; providing for dollar-for-dollar matching with school district number one of Great Falls." Referred to Committee on Appropriations.

House Bill No. 592, introduced by Patrick, Lanthorn, Bennett, Harrison, Gunderson, Quilici, Cox, Watt: A bill for an act entitled: "An act appropriating five hundred thousand dollars (\$500,000) to the State Board of Education from the long-range building program account, bond proceeds and insurance clearance fund, for construction of additional facilities at the area Vocational-Technical Center located at Helena, Montana, for the biennium ending June 30, 1973." Referred to Committee on Appropriations.

House Bill No. 593, introduced by Watt, Ainsworth, Haines, Harrison, Norman, Worden, Marbut, Campbell, Gunderson, Cox, Quilici: A bill for an act entitled: "An act appropriating five hundred thousand dollars (\$500,000) to the State Board of Education from the long-range building program account, bond proceeds and insurance clearance fund, for the construction of additional facilities at the area Vocational-Technical Center located at Missoula, Montana, for the biennium ending June 30, 1973." Referred to Committee on Appropriations.

House Bill No. 594, introduced by Cox, Forester, Glennen, Towe, Nestead, Fagg, Darrow, Giesick, Lockrem, Gerke, Gunderson, Watt, Quilici, Harrison: A bill for an act entitled: "An act appropriating two million dollars (\$2,000,000) to the State Board of Education from the long-range building program account, bond proceeds and insurance clearance fund, for construction of an area Vocational-Technical Center at Billings, Montana, for the biennium ending June 30, 1973; providing for dollar-for-dollar matching with School District Number Two of Billings." Referred to Committee on Appropriations.

House Bill No. 595, introduced by Quilici, Lynch, Lee, Healy, Harrison, Harper, McGrath, Gunderson, Watt, Cox: A bill for an act entitled: "An act appropriating five hundred thousand dollars (\$500,000) to the State Board of Education from the long-range building program account, bond proceeds and insurance clearance fund, for the construction of additional facilities at the area Vocational-Technical Center located at Butte, Montana, for the biennium ending June 30, 1973." Referred to Committee on Appropriations.

Senate Bill No. 22, introduced by Northey, Klindt, Carl, Lynch, Stephens, Boylan, Deschamps, Turnage, Flynn, Mitchell: A bill for an act entitled: "An act to amend Section 26-201, R.C.M., 1947, defining mountain lion as a game animal; and to correct spelling of the word 'stizostedion'." Referred to Committee on Fish and Game.

Senate Bill No. 56, introduced by Mathers, Brownfield, Bennett, Dzivi, Thiessen, Broeder, Siderius: A bill for an act entitled: "An act to establish budgeting and financing procedures for community college districts and repealing Section 75-8121, R.C.M., 1947." Referred to Committee on Education.

Senate Bill No. 83, introduced by Graham, Cochrane, McKeon, Hazelbaker, Sorensen, Rehberg, Sheehy: A bill for an act entitled: "An act to provide for the issuance by licensed motor vehicle dealers of stickers to be affixed to the rear window of new and used vehicles purchased from such dealers, to remain thereon during the ten (10) day grace period for making application for registration of such vehicle; providing a nonregistration penalty; requiring that in cases of sales of used motor vehicles to persons other than licensed dealers, the dealer forward to the county treasurer, either personally or by first class mail, within three (3) days following delivery of the vehicle, the certificate of ownership and certificate of registration with an application for registration executed by the new owner, and a copy of the sticker affixed to said vehicle by the dealer; providing that in such cases and upon compliance by the dealer with such requirements, title to said motor vehicle shall be deemed to have passed to the purchaser as of the date of delivery of said vehicle; amending Sections 53-108, 53-109, 53-146, and 53-147, Revised Codes of Montana, 1947; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

Senate Bill No. 115, introduced by McKeon, Siderius, Bennett, Turnage: A bill for an act entitled: "An act to amend Section 92-701, R.C.M., 1947, to raise compensation rates during the period of total temporary disability." Referred to Committee on Labor and Compensation.

Senate Bill No. 178, introduced by McCallum, Rugg, Moore, Rostad,

Rosell, Sorensen, McGowan, McOmber: A bill for an act entitled: "An act amending Section 26-301, R.C.M., 1947, to include stockkilling mountain lions in subsection (5)." Referred to Committee on Fish and Game.

Senate Bill No. 232, introduced by Shea, Siderius, Bennett, Flynn, Turnage, Dzivi, Mathers: A bill for an act entitled: "An act to provide compensation for loss of hearing resulting from exposure to industrial noise." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 236, introduced by Mathers, Brownfield, Thiessen: A bill for an act entitled: "An act to add a new section in Title 75, Chapter 81, numbered 75-8126, R.C.M., 1947, and to amend Section 75-8112, R.C.M., 1947, prohibiting a community college district from granting baccalaureate degrees and requiring final approval by the legislature upon recommendation of the Board of Regents for the establishment of a new community college district." Referred to Committee on Education.

Senate Bill No. 244, introduced by Lowe, Cochrane, Bertsche, Deschamps, Shea, Manning: A bill for an act entitled: An act to provide that a city or town shall not circumvent any competitive bidding procedures with respect to the letting of a contract for a public work or construction project under certain circumstances by dividing a public work or construction project into several contracts, separate work orders or similar devices." Referred to Committee on Affairs of Cities.

Senate Bill No. 247, introduced by Northey, McCallum, Deschamps: A bill for an act entitled: "An act to allow and regulate the use of dogs for hunting mountain lion." Referred to Committee on Fish and Game.

Senate Bill No. 297, introduced by James, Sheehy, Thiessen, Goodheart, Cochrane, Mathers, Mackay, Rosell, McCallum, Hanks, Lowe, Klindt, Moritz, Stephens: A bill for an act entitled: "An act to amend Section 75-7403, R.C.M., 1947, relating to the authority of trustees to release pupils during the school day for religious education purposes." Referred to Committee on Education.

Senate Bill No. 336, introduced by Rosell, James, Mathers: A bill for an act entitled: "An act to amend Section 75-6103, R.C.M., 1947, relating to teacher tenure." Referred to Committee on Education.

Senate Joint Resolution No. 7, introduced by Hafferman, Mackay, McDonald, Rosell, Flynn, Graham: A Joint Resolution of the Senate and House of Representatives of the Legislative Assembly of the State of Montana requesting that the Forty-second Legislative Assembly create an interim joint committee from the standing judiciary committees and laymen under general supervision of the legislative council to conduct a comprehensive study of the laws relating to the probate procedure with a view to suggesting amendments that would modernize the probate code to the State of Montana. Referred to Committee on Judiciary.

Senate Joint Resolution No. 16, introduced by Hazelbaker, Rostad, Rugg, Mathers, Graham, Manning, James, Bennett, Bertsche, McGowan, Keenan, Reardon, Lynch, DeWolfe, Moritz, Broeder, Deschamps, Cotton, Sorensen, Brownfield, Rosell, McCallum, Klindt, Siderius, Stein, Hanks, McKeon, Thiessen, Nees, Drake, Lyon, Mackay, Lowe, Cochrane, Shea, Rehberg, Turnage, Flynn, Gilfeather, McOmber, Groff, Hibbard, Bollinger, Carl, Stephens, Moore, Hafferman, Goodheart, Sheehy, McDonald, Dzivi, Vainio, Boylan, Northey, Mitchell: A Joint Resolution of the Senate and the House of Representatives of the Legislative Assembly of the State of Montana to the Congress of the United States and to the National Park Service and other agencies of the United States Government and to the various agencies of the State of Montana concerned with the preservation of historical landmarks requesting that action be taken immediately to preserve Beaverhead Rock in Madison County, Montana, which is one of the great landmarks of the Lewis and Clark expedition as a national park or national monument. Referred to Committee on Environment and Resources.

Senate Joint Resolution No. 19, introduced by Lyon, James, Stephens: A Joint Resolution of the Senate and House of Representatives of the State of Montana respectfully requesting the Interstate Commerce Commission to approve equitable freight rates throughout the various states of the United States of America. Referred to Committee on Business and Industry.

Senate Joint Resolution No. 23, introduced by Mitchell, Bertsche, Hibbard, Drake: A Joint Resolution of the Senate and House of Representatives of Montana to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, urging that parts of the Lincoln Back Country and Scape Goat Mountain area—be enjoined with the National Wilderness Preservation System. Referred to Committee on Environment and Resources.

Senate Joint Resolution No. 29, introduced by McGowan, James, Bertsche, Broeder, Deschamps, McDonald, Drake, McOmber, Mitchell, McKeon, Cotton, Bennett, Mathers, Stephens, Goodheart: A Joint Resolution of the Senate and House of Representatives to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from Montana, and the Honorable John Melcher and the Honorable Richard Shoup, Representatives from Montana urging the Montana Congressional Delegation to use their influence and connections with the proper federal agencies to see that proper and adequate access roads are built and upgraded by the federal government in the triangle area of Montana where the safeguard ABM missile sites are located; providing for mailing copies to certain officials. Referred to Committee on Highways.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

A motion was made by Harrison that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Joint Resolution No. 34 be moved to the bottom of the board.

That House Bill No. 374 do pass.

That House Bill No. 347 be amended in the title on page 1, lines 9 and 10 by deleting the following material "under the provisions of Section 26-1101, Revised Codes of Montana, 1947, as amended", and

Be further amended in section 1, page 1, lines 14, 15 and 16 by deleting the following material "Title 26, Chapter 11 of the Revised Codes of Montana, 1947, as amended, is amended to include the following section" and inserting in lieu thereof the following material "There is a new section in Title 26, Chapter 11, which reads as follows", and

Be further amended in section 1, page 1, line 22 after the word and figure "Section 23," by inserting the following material "Township 13 North," and

Be further amended in section 1, page 1, line 26 after the word and figure "Section 1," by inserting the following material "Township 12 North," and

As amended, do pass.

That House Bill No. 230 do pass.

That House Bill No. 142 do pass.

That House Bill No. 143 do pass.

That House Joint Resolution No. 32 be passed for the day.

That House Joint Resolution No. 43 do pass.

That House Joint Resolution No. 41 do pass.

That House Bill No. 262 be amended in section 3, page 7, lines 28 through 30, and page 8, line 1, of the committee approved bill of February 2, 1971, by omitting these lines in their entirety and inserting in lieu thereof the following:

“ “(7) The cost factors in jobbing milk, which shall include among other things raw product and ingredient costs, carton or other packaging cost, processing cost and that part of general administrative costs of the supplying distributor which may properly be allocated to the handling of milk to the point at which such milk is at the supplying distributor's dock, equipment of all types required to market milk and prevailing wage rates in the state; ”

And as so amended, do pass.

That House Bill No. 450 do pass.

That House Bill No. 489 do pass.

That House Bill No. 470 do not pass.

That House Bill No. 394 do pass.

That House Bill No. 396 be passed for the day.

That House Bill No. 140 do pass.

That House Bill No. 422 do pass.

That the Committee rise and report.

LYNCH, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 147 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Devine, Edland, Eggebrecht, Fasbender, Gerke, Giesick, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, Snortland, Staigmillar, Swan, Towe, Ulmer, Watt, Weeding, Worden, Yardley, Zody, Mr. Speaker. Total 70.

Noes: Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Glennen, Himsl, Jackson, Johnston, Kvaalen, Lockrem, Lundgren, Mather, Nichols, Perry, Nelstead, Scott, C. Smith, Spilde, Sverdsten, Warfield, Whitney, Wolf. Total 27.

Absent or not voting: Bardanouve, Fleming, Gunderson, E. Smith, Swanberg. Total 5.

Excused: Aber, Zimmer. Total 2.

House Bill No. 196 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. Smith, Snortland, Spilde, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zody, Mr. Speaker. Total 92.

Noes: Patrick, Perry, Scott, Staigmiller, Whitney, Wolf. Total 6.

Absent or not voting: Fleming, Gunderson, E. Smith, Swanberg. Total 4.

Excused: Aber, Zimmer. Total 2.

House Bill No. 309 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: Whitney. Total 1.

Excused: Aber, Zimmer. Total 2.

House Bill No. 310 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 100.

Noes: McNamer. Total 1.

Absent or not voting: Whitney. Total 1.

Excused: Aber, Zimmer. Total 2.

House Bill No. 355 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Worden, Zody, Mr. Speaker. Total 87.

Noes: Bardanouve, Bennett, Dye, Eggebrecht, Ellerd, Gunderson, Harrison, Kvaalen, Lien, Lockrem, Olson, Prevost, Ulmer, Whitney, Yardley. Total 15.

Absent or not voting: None.

Excused: Aber, Zimmer. Total 2.

House Bill No. 408 was passed by the following vote:

Ayes: Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 95.

Noes: Asbjornson, Brown, Dye, Lundgren, J. Murphy, Parrish, Wolf. Total 7.

Absent or not voting: None.

Excused: Aber, Zimmer. Total 2.

House Bill No. 442 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 99.

Noes: Dye, Haines, Patrick. Total 3.

Absent or not voting: None.

Excused: Aber, Zimmer. Total 2.

House Bill No. 444 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Quilici, Schoonover, Scott, Selstad, Shelden, E. Smith, Swanberg, Warfield, Watt, Whitney, Wolf, Worden, Mr. Speaker: Total 74.

Noes: Anderson, Bardanoue, Brand, Christiansen, Edland, Eggebrecht, Fasbender, Fitzgarrald, Harrison, Hemstad, Johnston, Kolstad, Menahan, T. Murphy, Perry, Prevost, Robbins, C. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Weeding, Yardley, Zody. Total 28.

Absent or not voting: None.

Excused: Aber, Zimmer. Total 2.

House Bill No. 481 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 99.

Noes: Bennett, Wolf. Total 2.

Absent or not voting: Dye. Total 1.

Excused: Aber, Zimmer. Total 2.

House Bill No. 492 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 96.

Noes: Burnett, Marks, J. Murphy, E. Smith, Weeding, Whitney. Total 6.

Absent or not voting: None.

Excused: Aber, Zimmer. Total 2.

House Bill No. 561 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greeley, Gunderson, Haines, Harper, Harrison, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, Lynch, McNamer, Marks, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmillier, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Zody, Mr. Speaker. Total 75.

Noes: Bardanouve, Brand, Brown, Burnett, East, Falkenstern, Hall, Healy, Hemstad, Knudsen, Kosena, Lee, Lombardi, McGrath, McKittrick, Marbut, Patrick, Prevost, C. Smith, Sverdsten, Swan, Swanberg, Whitney, Yardley. Total 24.

Absent or not voting: Giesick, Mehrens, Towe. Total 3.

Excused: Aber, Zimmer. Total 2.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 44 was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greeley, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: Giesick. Total 1.

Excused: Aber, Zimmer. Total 2.

Senate Bill No. 63 was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Greeley, Haines, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Keller, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, Snortland, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 80.

Noes: Bennett, East, Fleming, Gunderson, Hall, Hemstad, Johnston, Kendall, Kvaalen, McKittrick, McNamer, J. Murphy, Norman, Perry, Schoonover, C. Smith, E. Smith, Spilde, Staigmiller, Ulmer, Weeding, Whitney, Total 22.

Absent or not voting: None.

Excused: Aber, Zimmer. Total 2.

MOTIONS AND RESOLUTIONS

Jackson moved that House Joint Resolution No. 32 be taken from Second Reading and be returned to Committee on Environment and Resources. Motion carried.

Harrison, having voted on the prevailing side, moved that the House reconsider its action in passing House Bill No. 355 on Third Reading this day. Motion carried.

Smith, having voted on the prevailing side, moved that the House reconsider its action in adopting a favorable Committee of the Whole report on House Bill No. 230. Motion carried.

Falkenstern moved that House Bill No. 346 be taken from the Committee on Ways and Means and be returned to Committee on Townships and Counties. Motion carried.

Harrison moved that the House adjourn until 1:30 p.m., February 4, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

THIRTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 4, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Aber, Ellerd, excused.

The Speaker signed the following bills in open session: Senate Joint Resolution No. 8, Senate Bill No. 50.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty First Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

February 4, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 347, 394, 374, 142, 143, 489, 450, 140, 422, House Joint Resolution Nos. 43, 41.

MARKS, Chairman

February 4, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 298, 313, 342, 437, 438, 477, 482, 487, 520, 555, 396, 272, 478, 343, 447, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 4, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Dale A. Harris, Legislative Research Aide, be removed from the payroll effective January 31, 1971.

And further recommend that Wayne Gildroy, Doorkeeper, be removed from the payroll effective February 3, 1971.

And further recommend that Philip C. Rasmussen be added to the payroll as Doorkeeper effective February 4, 1971.

SPILDE, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 354, respectfully report as follows: That House Bill No. 354 do not pass.

EAST, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 372, respectfully report as follows: That House Bill No. 372 do not pass.

EAST, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 379, respectfully report as follows: That House Bill No. 379 do not pass.

EAST, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 338, respectfully report as follows: That House Bill No. 338 be amended

Be amended on page 2, section 4, subsection (b) by striking the first word "[Minors]" and inserting in lieu thereof the word "Persons" (line 30)

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

EAST, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 104, respectfully report as follows: That House Bill No. 104 do not pass.

Swan moved for adoption of the committee report.

As a substitute motion, Harrison moved that House Bill No. 104 be taken from the Committee on State Administration and be re-referred to Committee on Appropriations. Motion carried.

February 4, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 457, respectfully report as follows: That House Bill No. 457 be amended

Haines moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended in the title of the introduced bill on line 8, after the word "FOR" by inserting the word "MONTANA", and

Further amend in section 1, line 16, after the word "more" by inserting the following material "and are bona fide residents of the State of Montana for at least one (1) year prior to enrollment in the Montana University system, and

Further amend line 18, after the word "school" by deleting the following words "[in Montana,]", and

Further amend lines 19 and 20, after the word and punctuation "habits," by deleting the following material "[and with the recommendation of the board]", and

Further amend line 20, after the word "the" by inserting the word "University" and further amend on lines 20 and 21, by deleting after the word "system" on line 20 the following material "[for four (4) years]", and

Further amend on line 24, after the number and punctuation "(2)" by deleting the material "[The board]" and inserting the following words "Each unit", and

Further amend on lines 26 and 27, by deleting the material "[a) The State Superintendent of Public Instruction is the agent of the board in carrying out these provisions.]"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

HAINES, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 559, respectfully report as follows: That House Bill No. 559 be amended

Amend the title of the bill, page 1, line 10, following the word "testing" by inserting "; providing an effective date; and providing an expiration date"

And further amend on page 1, Section 1, line 15, following the words "assessment of" by striking the words "fifty cents (\$0.50) and inserting in lieu thereof the words and figures "thirty-five cents (\$0.35)"

And further amend on page 3, Section 7, line 8, following the figure "1971" by adding the following "and will expire on March 15, 1975"

And, as so amended, do pass.

HEMSTAD, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 do pass.

HEMSTAD, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 586, respectfully report as follows: That House Bill No. 586 be amended

Be amended in Section 2, subsection 6, page 7, line 5 of the original and introduced bill after the word "gas" by inserting the following new material " , telephone service", and

further amend in Section 2, page 7, line 24, following the word "state" by inserting the following new subsections "(10) Agricultural machinery and equipment, and replacement parts used in the repair or maintenance thereof. (11) Occasional sales.",

And, as so amended, do pass.

ULMER, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 565, respectfully report as follows: That House Bill No. 565 do pass.

ULMER, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 575, respectfully report as follows: That House Bill No. 575 do pass.

NICHOLS, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 566, respectfully report as follows: That House Bill No. 566 do pass.

HEMSTAD, Chairman

Report adopted.

February 2, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 329, respectfully report as follows: That House Bill No. 329 do pass.

LUNDGREN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 274, respectfully report as follows: That House Bill No. 274 do not pass.

Swan moved for adoption of the Committee report.

As a substitute motion, Brand moved that House Bill No. 274 do pass and be printed and placed on Second Reading. Motion failed.

Committee report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 416, respectfully report as follows: That House Bill No. 416 be amended

Be amended on page 1, Section 1, line 29, after the word "thousand" by deleting the following material "five hundred dollars (\$1,500)" and inserting in lieu thereof the following material "dollars (\$1,000)"

And, as so amended, do pass.

SWAN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 449, respectfully report as follows: That House Bill No. 449 do pass.

SWAN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 469, respectfully report as follows: That House Bill No. 469 do not pass.

SWAN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 567, respectfully report as follows: That House Bill No. 567 do not pass.

SWAN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 448, respectfully report as follows: That House Bill No. 448 be amended

Greely moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 1, in the title, line 8, after the word "vacation" by deleting the words "from twelve", and

Be further amended on page 1, in the title, line 9, by striking all the material before the words "and to amend", and

Be further amended on page 1, in the title, line 12, after the word "year" by striking the punctuation and adding the following material "and providing for an effective date.", and

Be further amended on page 1, Section 1, line 27, after the words "period of" by striking the following material "six (6)" and inserting in lieu thereof the following material "twelve (12)".

And, as so amended, do pass.

SWAN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 40, respectfully report as follows: That House Joint Resolution No. 40 do pass.

WARFIELD, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 463, respectfully report as follows: That House Bill No. 463 do pass.

WARFIELD, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 360, respectfully report as follows: That House Bill No. 360 do pass.

WARFIELD, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 553, respectfully report as follows: That House Bill No. 553 do pass.

WARFIELD, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 468, respectfully report as follows: That House Bill No. 468 do pass.

WARFIELD, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 464, respectfully report as follows: That House Bill No. 464 do pass.

WARFIELD, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 289, respectfully report as follows: That House Bill No. 289 do not pass.

WARFIELD, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 be amended

Wolf moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 4, line 3, after the word "a" by inserting the words "bona fide"

And be further amended on page 4, line 8, after the word "point" by striking the punctuation "[,]" and inserting in lieu thereof the punctuation "."

And be further amended on page 4, line 8, after the word and punctuation "point." by striking all the material therein through and including line 9

And be further amended on page 4, line 13, after the word "the" by inserting the word "commercial"

And be further amended on page 4, line 20, after the word "Livestock" by inserting the word "commercially"

And be further amended on page 4, line 27, after the word "authorizing" by inserting the word "commercial"

And be further amended on page 5, line 6, after the word "the" by inserting the word "commercial"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

WOLF, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291 be amended

Wolf moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 16, after the word "board" through and including line 18, by striking the material therein in its entirety.

And be further amended on page 2, line 24, after the word "instructors," by striking the words and punctuation "[financial statements,]"

And be further amended on page 2, line 25, after the word and punctuation "charges," by striking the following words "[character and reputation of operator and]"

And be further amended on page 2, line 26, before the word and punctuation "vehicle" by striking the word "[instructors]"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

WOLF, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 351, respectfully report as follows: That House Bill No. 351 be amended

Wolf moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 8, Section 4, line 13, of the printed bill after the word "dealer" by inserting the following material: "and each special fuel user", and

Be further amended on page 8, Section 4, lines 15 through 21 of the printed bill by striking the material contained therein in its entirety and inserting in lieu thereof the following material: "Upon annual application the board shall waive the filing of a monthly tax return of any special fuel user who establishes that such user's monthly tax liability is or will be ten (\$10) dollars or less.", and

Be further amended on page 8, Section 4, lines 22 through 25, up to and including the word "accrued," on line 25, by striking the material contained therein in its entirety and inserting in lieu thereof the following material: "Such user",

And, as so amended, do pass.

WOLF, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 556, respectfully report as follows: That House Bill No. 556 be amended

Warfield moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1 of the original bill, in line 7 of the title, after the words "course in" by adding the following material: "Health education to include", and

Be further amended on page 1 of the original bill, line 8 of the title, after the word "complete" by striking the word "[A]" and inserting in lieu thereof the word: "such", and

Be further amended on page 1 of the original bill, in line 9 of the title, after the words: "course in" by adding the following material: "Health Education and", and

Be further amended on page 1 of the original bill, in line 27, after the words "establish a" by inserting the following word: "credit", and

Be further amended on page 1 of the original bill, in line 27, after the words "course in" by adding the following material: "health education to include", and

Be further amended on page 2 of the original bill, in line 8, after the words: "course in" by adding the following material: "health education to include", and

Be further amended on page 2 of the original bill, in line 12, after the words: "courses in" by adding the following material: "health education to include", and

Be further amended on page 2 of the original bill, in line 13, after the word "students" by deleting the following material: "[beginning with the school year that commences]" and inserting in lieu thereof the following material: "commencing as soon as feasible, but in any event not later than the school year commencing", and

Be further amended on page 2 of the original bill, in line 14, by striking the following material: "[1971]" and inserting in lieu thereof the following material: "1972", and

Be further amended on page 2 of the original bill, line 19, by adding the following new section: "Section 5. That the Montana Alcohol and Drug Dependency Commission shall act in an advisory capacity in establishing all courses required under this act, and said courses shall be established only after consultation with and advice by the Montana Alcohol and Drug Dependency Commission."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

Report adopted.

WARFIELD, Chairman

February 4, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 439, respectfully report as follows: That House Bill No. 439 do pass.

SWAN, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 213, introduced by Mackay, et al

Senate Bill No. 157, introduced by Moritz, et al

Senate Bill No. 39, introduced by Stephens, et al

Senate Bill No. 243, introduced by Brownfield, Bennett, Mathers

Senate Bill No. 209, introduced by Sheehy, et al

Senate Bill No. 221, introduced by Mackay, et al

Senate Joint Resolution No. 20, introduced by Bollinger and Lowe.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Lockwood having voted on the prevailing side of House Bill No. 147, moved that the House reconsider its action in passing House Bill No. 147 on the previous day.

Mather requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion carried by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Fagg, Kalkenstern, Fitzgarrald, Forester, Glennen, Hemstad, Himsl, Jackson, Johnston, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McGrath, McNamer, Marks, Mather, J. E. Murphy, Nichols, Olson, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, C. M. Smith, E. B. Smith, Snortland, Spilde, Sverdsten, Swan, Warfield, Whitney, Wolf, Mr. Speaker. Total 52.

Noes: Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiaensen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Menahan, T. L. Murphy, Norman, Parrish, Patrick, Schoonover, Selstad, Shelden, Staigmiller, Swanberg, Towe, Ulmer, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 49.

Absent or not voting: Giesick. Total 1.

Excused: Aber, Ellerd. Total 2.

Robbins moved that the House suspend its Rules for the purpose of the introduction of a bill that is not a revenue bill. The motion carried by the required two-thirds vote.

Harrison moved that House Bill No. 147 be re-referred to the Committee on Ways and Means. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 39, introduced by Stephens, Moritz, Manning, Thiessen, Dzivi, Mathers, Moore, James: A bill for an act entitled: "An act to provide for an intoxication test and consent thereto, for persons arrested for driving while under the influence of intoxicating liquor, providing for suspension upon refusal of operator to submit to test, providing for an appeal of license suspension." Referred to Committee on Judiciary.

Senate Bill No. 157, introduced by Moritz, Sheehy, Lynch, Northey: A bill for an act entitled: "An act authorizing the Board of Railroad Commissioners of the State of Montana to grant temporary motor carrier authority in cases of immediate and urgent need; prescribing the maximum periods thereof; and repealing Section 8-130 of the Revised Codes of Montana, 1947." Referred to Committee on Business and Industry.

Senate Bill No. 209, introduced by Sheehy, McKeon, Reardon, Shea, Bennett, Drake, Goodheart, Siderius, Keenan, McCallum, Carl, Boylan: A bill for an act entitled: "An act to provide revisions to 'The Occupational Disease Act of Montana' in compliance with the mandate of the Congress of the United States as required by the provisions of Public Law 91-173, of the 91st Congress; and providing for the payment of benefits for total disability or death to a coal miner due to defined pneumoconiosis substantially to, or greater than, the amount of benefits prescribed by said Public Law and to prescribe standards and definitions for determining death or total disability due to pneumoconiosis, which are substantially equivalent to those established by said Public Law and regulations by the Secretary of Health, Education and Welfare; and providing for the submission of any claim for benefits within three years of discovery of total disability or death from said disease; and providing for the liability of prior and successor operators for all benefits for miners at such mine on or after December 30, 1969; amending Section 92-1303, R.C.M., 1947, relating to definitions of disablement and pneumoconiosis; amending Sec-

tion 92-1310, R.C.M., 1947, relating to liability of last employer; amending Section 92-1312, R.C.M., 1947, relating to time in which a claim may be presented; amending Section 92-1315, R.C.M., 1947, relating to procedure for medical examination; amending Section 92-1321, R.C.M., 1947, relating to compensation benefits payable under said act; and providing an appendix setting forth appropriate charts for determination of disability and providing standards for interpretation thereof; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 213, introduced by Mackay, Mathers, Thiessen, Graham: A bill for an act entitled: "An act to amend Sections 59-701.1, 59-701.2, and 82-109, R.C.M., 1947, to provide for the implementation of a modified accrual basis of accounting for state expenditures pursuant to the provisions of House Joint Resolution Number 9, adopted by the 1969 Legislative Assembly." Referred to Committee on State Administration.

Senate Bill No. 221, introduced by Mackay, Thiessen, Graham, Mathers: A bill for an act entitled: "An act to amend Section 79-2312, R.C.M., 1947, providing that state agencies shall assist the Legislative Auditor in obtaining information for audit purposes; repealing Section 79-2313, R.C.M., 1947." Referred to Committee on State Administration.

Senate Bill No. 243, introduced by Brownfield, Bennett, Mathers: A bill for an act entitled: "An act amending Section 11-1814, R.C.M., 1947, to provide for reducing the entrance age of policemen to twenty (20)." Referred to Committee on Affairs of Cities.

Senate Joint Resolution No. 20, introduced by Bollinger, Lowe. A Joint Resolution of the Senate and the House of Representatives to the Honorable Forrest H. Anderson, Governor, and to the director of the State Welfare Department, directing an examination be made into the feasibility of establishing district offices to improve the delivery of social services to all people in Montana, and urging cooperation by the Welfare Department with the Federal Department of Health, Education, and Welfare in the administration in Montana of the proposed Family Assistant Plan. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 596, introduced by Robbins, Cox, J. Murphy: A bill for an act entitled: "An act to amend Section 23-3318, R.C.M., 1947, by providing for filing of certificates of nomination by candidates for municipal offices." Referred to Committee on Constitution, Elections and Federal Relations.

House Resolution No. 5, introduced by Prevost, Eggebrecht, E. Smith, Burnett, Christiansen, Knudsen, Lund, Edland, Gunderson, Zody, Weed-ing, Bradley, Lien: A resolution of the House of Representatives of the State of Montana to the Congress of the United States, the Montana Congressional Delegation, the Interior Committee of the United States Senate, the Interior Committee and the Interior Subcommittee of the Appropriations Committee of the United States House of Representatives requesting the passage of legislation and appropriations supporting the construction of a large magnetohydrodynamics (MHD) pilot power plant to implement the techniques which have been developed through extensive research since 1957. Referred to Committee on Business and Industry.

Harrison moved that the House suspend its Rules and consider the Resolution read in full. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 22 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: Harrison. Total 1.

Excused: Aber, Ellerd. Total 2.

House Joint Resolution No. 38 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Menahan, J. E. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Giesick, Himsl, Keller, Kolstad, McNamer, T. L. Murphy, Perry, Selstad, Whitney. Total 9.

Absent or not voting: Mehrens. Total 1.

Excused: Aber, Ellerd. Total 2.

House Joint Resolution No. 44 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: Spilde. Total 1.

Absent or not voting: None.

Excused: Aber, Ellerd. Total 2.

House Bill No. 200 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: Greely. Total 1.

Absent or not voting: None.

Excused: Aber, Ellerd. Total 2.

House Bill No. 204 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, J. E. Murphy, T. L. Murphy, Nichols, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker: Total 83.

Noes: Anderson, Aspevig, Bardanouve, Brand, Christiansen, Eggebrecht, Fasbender, Johnston, Kvaalen, Lee, Lien, McKittrick, Menahan, Norman, Prevost, Schoonover, Towe, Watt. Total 18.

Absent or not voting: Haines. Total 1.

Excused: Aber, Ellerd. Total 2.

House Bill No. 234 was passed by the following vote:

Ayes: Asbjornson, Bardanouve, Bennett, Brown, Burnett, Christiansen, Clemow, Darrow, Devine, Dye, East, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Hemstad, Hodges, Keller, Kendall, Knudsen, Lockrem, Lockwood, Lund, Lundgren, McKittrick, McNamer, Mather, J. E. Murphy, Nichols, Olson, Patrick, Nelstead, Prevost, Quilici, Schoonover, Selstad, E. B. Smith, Swanberg, Towe, Ulmer, Watt, Whitney, Zody. Total 53.

Noes: Ainsworth, Anderson, Aspevig, Baeth, Bradley, Brand, Campbell, Edland, Eggebrecht, Harper, Healy, Himsl, Jackson, Johnston, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lombardi, Lynch, McGrath, Marbut, Marks, Mehrens, Menahan, T. L. Murphy, Norman, Parrish, Perry, Robbins, Scott, Shelden, C. M. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Warfield, Weeding, Wolf, Worden, Yardley, Zimmer, Mr. Speaker. Total 48.

Absent or not voting: Cox. Total 1.

Excused: Aber, Ellerd. Total 2.

House Bill No. 377 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Menahan. Total 1.

Absent or not voting: C. M. Smith. Total 1.

Excused: Aber, Ellerd. Total 2.

House Bill No. 401 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: Fitzgarrald, Lee, C. M. Smith. Total 3.

Absent or not voting: None.

Excused: Aber, Ellerd. Total 2.

House Bill No. 412 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Cox, Devine, Lien, Lockrem, Perry, Scott, Swan, Ulmer. Total 8.

Absent or not voting: Mather, Schoonover. Total 2.

Excused: Aber, Ellerd. Total 2.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

A motion was made by Harrison that the House resolve itself into a Committee of the Whole, for the consideration of business under Second Reading. Motion carried.

Parrish in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 149 do pass.

That House Bill No. 141 do pass.

That House Bill No. 399 do pass.

That House Bill No. 537 be amended by inserting on line 12, page 1, of the Committee approved bill, before the word "Whenever", the word and figure "Section 1."

And, as amended, do pass.

That House Bill No. 385 do pass.

That House Bill No. 335 do pass.

That House Bill No. 144 do pass.

That House Bill No. 275 do pass.

That House Bill No. 395 be amended in the title by striking the period and inserting in lieu thereof "and providing an effective date."

And, as amended, do pass.

That the Committee rise and beg leave to sit again.

That House Joint Resolution No. 34 do pass.

That House Bill No. 230 be amended on page 3, line 1, Section 1, of the printed bill, after the word "lot" by deleting the period "." and adding the following material: ", and save further that a custom combiner in hauling grain that he combines shall be exempt from this act."

And, as amended, do pass.

That House Bill No. 396 be amended in the Title, line 14, by striking the period "." and add ", providing an effective date."

And, as amended, do pass.

That House Bill No. 482 do pass.

That House Bill No. 313 do pass.

That House Bill No. 298 do pass.

That House Bill No. 520 do pass.

That House Bill No. 477 do pass.

That House Bill No. 437 do pass.

That House Bill No. 555 do pass.

That House Bill No. 487 do pass.

That House Bill No. 342 do pass.

That House Bill No. 438 do pass.

That the Committee rise and report.

PARRISH, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 4, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 509, respectfully report as follows: That House Bill No. 509 do not pass.

FALKENSTERN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 504, respectfully report as follows: That House Bill No. 504 do not pass.

FALKENSTERN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 460, respectfully report as follows: That House Bill No. 460 do not pass.

FALKENSTERN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 346, respectfully report as follows: That House Bill No. 346 do not pass.

FALKENSTERN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 345, respectfully report as follows: That House Bill No. 345 do not pass.

FALKENSTERN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Joint Resolution No. 46, respectfully report as follows: That House Joint Resolution No. 46 do pass.

FALKENSTERN, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 do not pass.

FALKENSTERN, Chairman

Falkenstern moved for adoption of the Committee report.

As a substitute motion, Swan moved that House Bill No. 174 do pass. After discussion, Swan withdrew the substitute motion.

Thereupon, the Committee report that House Bill No. 174 do not pass, was adopted.

MOTIONS AND RESOLUTIONS

Scott moved that House Bill No. 15 be taken from Committee on Affairs of Cities and be re-referred to Committee on Judiciary. Motion carried.

Harrison moved that the House adjourn until 1:30 p.m., February 5, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

THIRTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 5, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Ellerd, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-Second Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

February 5, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 205, 291, 338, 351, 416, 426, 448, 457, 556, 559, 586, beg leave to report that the same have this date been returned from the printer correctly printed.

BROWN, Member

February 5, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 329, 331, 360, 439, 449, 460, 463, 464, 468, 553, 565, 566, 575, House Joint Resolutions Nos. 40, 46, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 5, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 141, 144, 149, 262, 275, 298, 335, 342, 385, 399, 437, 477, 520, 555, 230, 395, 396, 482, 487, 537, 313, 438, House Joint Resolution No. 34.

MARKS, Chairman

February 5, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Peggy K. Dehaan, Steno, be removed from the payroll effective February 4, 1971.

SPILDE, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 547, respectfully report as follows: That House Bill No. 547 do pass.

NICHOLS, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 486, respectfully report as follows: That House Bill No. 486 do not pass.

SCOTT, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 510, respectfully report as follows: That House Bill No. 510

Be amended on page 1, Section 1, lines 13 and 14 of the original and reproduced bill after the word "shall" by striking the material "[also offer to provide for]" and substitute in lieu thereof the material "require the debtor to secure", and

Be further amended on page 1, Section 1, line 19, after the word "liability" by striking the material "[and property damage]", and

Be further amended on page 1, Section 2, lines 26 and 27 by striking all of Section 2 in its entirety.

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 451, respectfully report as follows: That House Bill No. 451 do not pass.

SCOTT, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 418, respectfully report as follows: That House Bill No. 418 do not pass.

Report adopted. COX, Chairman

February 5, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 45, respectfully report as follows: That House Bill No. 45 do pass.

Report adopted. COX, Chairman

February 5, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 521, respectfully report as follows: That House Bill No. 521 do pass.

Report adopted. COX, Chairman

February 5, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 do not pass.

Report adopted. COX, Chairman

February 5, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 73, respectfully report as follows: That House Bill No. 73 do not pass.

Report adopted. COX, Chairman

February 5, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 75, respectfully report as follows: That House Bill No. 75 do not pass.

Report adopted. COX, Chairman

February 4, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 433, respectfully report as follows: That House Bill No. 433 be amended

Swan moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, Section 1, line 30 of the original bill, after the word "or" by deleting the word "insurance", and

Be further amended on page 2, Section 1, line 6 of the original bill, after the word "or" by deleting the word "insurance", and after the word "plan" by adding the words and punctuation ", must approve and participate in the group insurance contract or plan", and

Be further amended on page 2, Section 1, line 10, of the original bill, after the word "accident" by deleting the word "insurance", and

Be further amended on page 2, Section 1, following line 13 of the original bill, by inserting a new subsection as follows: "(d) each such department, bureau, board, commission, agency, county, city or town may enter into only one group contract or plan for dental care; and,

Be further amended on page 2, Section 1, line 14 by renumbering the subsection from "(d)" to "(e)", and

Be further amended on page 2, Section 1, line 15 of the original bill, after the words "shall pay the" by deleting the words "group insurance", and

Be further amended on page 2, Section 1, line 16 of the original bill, after the words "insurance contracts or" by deleting the words "group insurance", and

Be further amended on page 2, Section 1, lines 27 through and including line 30 by striking the material therein in its entirety, and

As so amended, do pass.

SWAN, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 570, respectfully report as follows: That House Bill No. 570 do pass.

WARFIELD, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 50, respectfully report as follows: That House Joint Resolution No. 50 do pass.

WARFIELD, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 517, respectfully report as follows: That House Bill No. 517

Be amended on page 1, Section 1, lines 21 and 22, after the word "than" by deleting the words and figures "[eight thousand (8,000)]", and inserting in lieu thereof the following material "six thousand five hundred (6,500)", and

(Material in brackets denotes cancelled type.)

As so amended, do pass.

WARFIELD, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 363, respectfully report as follows: That House Bill No. 363 do pass.

WARFIELD, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 572, respectfully report as follows: That House Bill No. 572 be amended

Ulmer moved that the House suspend its Rules and consider the amendments as read in full. Motion carried.

Be amended in Section 1 of the original and introduced bill, subsection (d), page 3, line 15 after the word "of" by deleting the following material "[fifty per centum (50%)]", and inserting in lieu thereof the following material "thirty per centum (30%)", and

Be further amended in Section 1, subsection (d), page 3, line 19 following the comma insert the following material "and in unencumbered real property, and in first mortgages of unencumbered real property, not exceeding seventy-five percent (75%) of the value of the property," and

Be further amended in section 1, subsection (d), page 3, line 20 after the word "than" by deleting the following material "[fifty per centum (50%)]" and inserting in lieu thereof the following material "thirty per centum (30%)", and

Be further amended in Section 1, subsection (d), page 3, line 21 following the word "mortgages" by inserting the following material "and real property", and

Be further amended in Section 1, subsection (e), page 3, line 24 following the word "operating" by deleting the following material "[public utility]", and

Be further amended in Section 1, subsection (e), page 3, line 30 following the word "indebtedness" by deleting the following word "[of]" and inserting in lieu thereof the word "by", and

Be further amended in Section 1, page 5, line 10 following the word "Montana" by inserting the following new material ", in interest-bearing deposits in banks located in the State of Montana that are deposited in accordance with the requirements and procedures that are specified in Section 79-301, R.C.M., 1947," and

Be further amended in Section 1, page 6, line 5 after the word "field" by deleting the following material "[and there shall not be paid for such services an amount in excess of one thousand dollars (\$1,000.00) in any one fiscal year.]", and inserting in lieu thereof the following material ". The said board is also authorized to obtain financial and investment counsel and services from qualified persons and sources on a fee or contract basis.", and

(Material in brackets denotes cancelled type.)

As so amended, do pass.

ULMER, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 4, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House Bills, title and history agreed to, and the bills are herewith returned to the House,

House Bill No. 85, introduced by Ainsworth, et al

House Bill No. 212, introduced by Edland, et al

House Bill No. 132, introduced by Bardanoue, Kvaalen,

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 4, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 18, introduced by Sheehy

Senate Bill No. 179, introduced by Gilfeather, Turnage, Sheehy

Senate Bill No. 70, introduced by McGowan, et al

Senate Bill No. 34, introduced by Thiessen, Deschamps, Bertsche

Senate Bill No. 201, introduced by Siderius

Senate Bill No. 304, introduced by Vainio

Senate Bill No. 235, introduced by Mathers, Brownfield, Thiessen

Senate Bill No. 263, introduced by Rosell, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Whitney, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 174, moved that the House reconsider its action. Motion carried.

Shelden, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 345, moved that the House reconsider its action. Motion carried.

Shelden moved that House Bill No. 345 be printed and placed on Second Reading. Motion carried.

Scott moved that House Bill No. 293 be taken from the Committee on State Administration and be re-referred to Committee on Judiciary. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 18, introduced by Sheehy, Bennett, Bollinger, Northey, Vainio: A bill for an act entitled: "An act supplementing Title 69, Chapter 49, R.C.M., 1947, by providing for the control of the amount of fluoride ion content of water for a public water supply in towns or cities having

a population of 1,000 persons or greater, providing for the administration of such control by the State Department of Health, and providing for the renumbering of Sections 69-4907 and 69-4908, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 34, introduced by Thiessen, Deschamps, Bertsche: A bill for an act entitled: "An act amending Section 91-3906, R.C.M., 1947, to provide that the order discharging an executor or administrator must be made within two (2) years." Referred to Committee on Judiciary.

Senate Bill No. 70, introduced by McGowan, Rugg, Mitchell, Moritz, Mathers, Dzivi, Bertsche, McCallum, Rosell: A bill for an act entitled: "An act regulating mining operations; providing for the reclamation of mined lands; and repealing Sections 50-1001 through 50-1017, R.C.M., 1947." Referred to Committee on Environment and Resources.

Senate Bill No. 179, introduced by Gilfeather, Turnage, Sheehy: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, to include trailers affixed to land, mobile homes and all of or the first seventeen thousand five hundred dollars (\$17,500) of value of improvements on real estate, clarification of eligibility and increasing maximum retirement benefits eligible for classification of property, and providing an effective date." Referred to Committee on Ways and Means.

Senate Bill No. 201, introduced by Siderius, Cochrane, Bennett, Flynn, Broeder: A bill for an act entitled: "An act relating to white canes for the blind; repealing Section 32-1143, 32-1144, 32-1145, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 235, introduced by Mathers, Brownfield, Thiessen: A bill for an act entitled: "An act amending Sections 75-8103, 75-8105, 75-8106, 75-8107, 75-8108, 75-8109, 75-8110 and 75-8119, R.C.M., 1947, providing that community college districts shall be under the supervision of the Board of Regents and that said board shall appoint a coordinator of community college districts." Referred to Committee on Education.

Senate Bill No. 263, introduced by Rosell, Rostad, Rugg, Hazelbaker, Reardon, Goodheart, Sheehy, Siderius, Drake, DeWolfe, Carl, McKeon, Boylan, Lyon, McCallum, Brownfield, Hanks, Broeder, Keenan, Manning, Sorensen, Cotton, Lynch, Moritz, Stephens, Lowe, Moore, Cochrane, Rehberg, McGowan, Stein, Vainio, Flynn, Hafferman, Bollinger, Deschamps, Klindt, Mackay, Graham, McOmber, Hibbard, Shea, Northey, Nees: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R.C.M., 1947, providing a [new] classification for one hundred percent (100%) disabled veterans." Referred to Committee on Ways and Means.

(Material in brackets denotes cancelled type.)

Senate Bill No. 304, introduced by Vainio: A bill for an act entitled: "An act to amend Section 71-610, R.C.M., 1947, empowering the State Department of Public Welfare to authorize supplementary optometric services upon an optometric examination to qualified welfare recipients." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 597, introduced by Himsl, Schoonover, Zimmer, Olson, Ulmer, Zody, Fleming, Lundgren, J. Murphy, Brown: A bill for an act entitled: "An act appropriating money from the general fund to the community college districts of Montana for their operation and maintenance during the biennium ending June 30, 1973, in accordance with Section 75-8121, R.C.M., 1947." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

A motion was made by Harrison that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Scott in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 586 do pass.

That the Committee rise and beg leave to sit again.

That House Bill No. 565 be passed for the day.

That House Bill No. 272 be amended in Section 2, line 8, page 3 of the original bill by striking all of the language "nineteen (19) years of age or older;" and inserting in lieu thereof "the minimum age for voting as provided by the Constitution of the State of Montana."

And further amend by striking subsection 3 being lines 10 through 13, page 3 of the original and inserting in lieu thereof the following: "(3) He has met the residence requirements for voting as provided by the Constitution of the State of Montana."

And as amended, do pass.

That House Bill No. 478 do pass.

That House Bill No. 343 do not pass.

That House Bill No. 447 do pass.

That House Bill No. 468 be moved to the bottom of the list.

That House Bill No. 553 be passed for the day.

That House Bill No. 360 do pass.

That House Bill No. 449 be passed for the day.

That House Bill No. 439 do not pass.

That House Bill No. 331 be passed for the day.

That House Bill No. 575 do pass.

That House Bill No. 566 do pass.

That the Committee rise and report.

SCOTT, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 5, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 586.

MARKS, Chairman

The Speaker signed in open session the following bill: Senate Bill No. 44.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 41 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Robbins, Schoonover, E. Smith, Zimmer. Total 4.

Excused: Ellerd. Total 1.

House Joint Resolution No. 43 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Brandley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 98.

Noes: Kvaalen, Marks. Total 2.

Absent or not voting: Robbins, Schoonover, Zimmer. Total 3.

Excused: Ellerd. Total 1.

House Bill No. 140 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Robbins, Schoonover, Zimmer. Total 3.

Excused: Ellerd. Total 1.

House Bill No. 142 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 100.

Noes: Marks. Total 1.

Absent or not voting: Robbins, Zimmer. Total 2.

Excused: Ellerd. Total 1.

House Bill No. 143 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: Zimmer. Total 1.

Excused: Ellerd. Total 1.

House Bill No. 347 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 97.

Noes: Asbjornson, Parrish, Schoonover, C. Smith, Spilde. Total 5.

Absent or not voting: Zimmer. Total 1.

Excused: Ellerd. Total 1.

House Bill No. 355 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 96.

Noes: Dye, Gunderson, Lockrem, Prevost, Ulmer, Whitney. Total 6.

Absent or not voting: Zimmer. Total 1.

Excused: Ellerd. Total 1.

House Bill No. 374 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 89.

Noes: Brand, Eggebrecht, Healy, Lee, Lien, Lombardi, McGrath, McNamer, Mehrens, Menahan, Prevost, Schoonover, Staigmillar. Total 13.

Absent or not voting: Zimmer. Total 1.

Excused: Ellerd. Total 1.

House Bill No. 394 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 100.

Noes: Giesick. Total 1.

Absent or not voting: Harrison, Zimmer. Total 2.

Excused: Ellerd. Total 1.

House Bill No. 422 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Fagg, Falkenstern, Fasbender, Fitzgarraird, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 94.

Noes: Bardanouve, Eggebrecht, Giesick, Knudsen, Lien, Menahan, C. Smith. Total 7.

Absent or not voting: Harrison, Zimmer. Total 2.

Excused: Ellerd. Total 1.

House Bill No. 450 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarraird, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 97.

Noes: Marks, Spilde. Total 2.

Absent or not voting: East, Harrison, Whitney, Zimmer.. Total 4.

Excused: Ellerd. Total 1.

House Bill No. 489 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarraird, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 99.

Noes: Lien. Total 1.

Absent or not voting: Dye, Patrick, Zimmer. Total 3.

Excused: Ellerd. Total 1.

A motion was made by Harrison that the House adjourn until 1:00 p.m., February 6, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

THIRTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 6, 1971

House convened, pursuant to adjournment, at 1:00 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Ellerd, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-Third Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

February 6, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 45, 345, 363, 521, 547, 570, 433, 510, 517, 572, House Joint Resolution No. 50, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 6, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 360, 447, 478, 566, 575, 272.

MARKS, Chairman

February 6, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 316, respectfully report as follows: That House Bill No. 316 be amended

Be amended on page 1, Section 3, lines 19 and 20, after the material "Section 3." on line 19 and before the word "land" on line 20 by striking the following material "[Unless otherwise provided by the terms of a lease or prospecting permit in full force and effect, the]" and inserting in lieu thereof the word "The", and

Be further amended on page 2, after line 15, by inserting the following new material "Section 5. The provisions of this act shall not apply where operations upon land are performed in accordance with the terms of a lease or prospecting permit in full force and effect.", and

Be further amended on page 2, by renumbering Section 5 to read Section 6 on line 16

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

LUNDGREN, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 479, respectfully report as follows: That House Bill No. 479 do not pass.

LUNDGREN, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Joint Resolution No. 32, respectfully report as follows: That House Joint Resolution No. 32 do pass.

LUNDGREN, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Joint Resolution No. 33, respectfully report as follows: That House Joint Resolution No. 33 do pass.

LUNDGREN, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Joint Resolution No. 42, respectfully report as follows: That House Joint Resolution No. 42 do pass.

LUNDGREN, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 be amended

Be amended on page 1, line 24, after the word "highways" by inserting the following punctuation and words "; provided, however, that truck night time speed limit shall not exceed that of automobiles as stated in Section 32-2144, R.C.M., 1947."

And, as so amended, do pass.

WOLF, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 9, respectfully report as follows: That Senate Bill No. 9 be not concurred in.

WOLF, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 66, respectfully report as follows: That Senate Bill No. 66 be concurred in.

WOLF, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 160, respectfully report as follows: That Senate Bill No. 160 be concurred in.

WOLF, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 be amended

Amend Section 1, page 1, line 19 of the original bill after the word "than" by striking the following material "[fifteen (15) mills.]" and insert in lieu thereof the following new material "twelve (12) mills, except in fourth, fifth, sixth and seventh class counties which may levy not more than fifteen (15) mills,"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

FALKENSTERN, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on The Constitutional Convention, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 do pass.

MURPHY, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 290, respectfully report as follows: That House Bill No. 290 do not pass.

ULMER, Chairman

Report adopted.

February 6, 1971

Mr. Speaker, We, your Committee on Business and Industry, having had under consideration House Bill No. 531, respectfully report as follows: That House Bill No. 531 be amended

Be amended on page 8, line 16, through page 9, line 15, by eliminating Section 18 in its entirety, and

Be further amended in subsequent sections to conform numerically,

And, as so amended, do pass.

WORDEN, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Resolution No. 11, respectfully report as follows: That House Joint Resolution No. 11 do not pass.

WORDEN, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 333, respectfully report as follows: That House Bill No. 333 be amended

Be amended on page 2, line 20, of the Introduced Bill, after the words "credit card" by inserting the words and underlining: "Issued by the retail seller or any other person", and

Be further amended on page 5, line 28, by inserting before the period after the word "institutions" the following words and underlining: "except this act pertains to the extension of credit by such banks or other lending institutions pursuant to retail installment contracts or credit cards issued by such banks or other lending institutions",

And, as so amended, do pass.

WORDEN, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 462, respectfully report as follows: That House Bill No. 462 do pass.

WORDEN, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 541, respectfully report as follows: That House Bill No. 541 do pass.

WORDEN, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 546, respectfully report as follows: That House Bill No. 546 do not pass.

WORDEN, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 29, respectfully report as follows: That House Joint Resolution No. 29 be amended

Scott moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 29, after the material "ways -" by striking the material "[tort system and others,]", and

Be further amended on page 1, line 30, after the material "Montana," by striking the word "other", and

Be further amended on page 2, lines 1 through 3, by striking all the following material “[states, Canada, and other countries, together with trends for more stringent operators’ licensing requirements in all states and countries.]”

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 5, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 497, respectfully report as follows: That House Bill No. 497 be amended

Scott moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 9, of the title of the original and introduced bill after the word “Homes” by striking the period “[.]” and inserting in lieu thereof the material “, and providing an effective date.”, and

Further amend on page 1, Section 2, subsection (b), line 28 after the word “years” by inserting the material “over whom the juvenile court may have jurisdiction under Section 10-603, R.C.M., 1947, and”, and

Further amend on page 2, Section 3, line 14, after the word “units” by striking the material “[shall provide.]” and inserting in lieu thereof the material “may be authorized to provide by law.”, and

Further amend on page 2, Section 4, lines 15 through 19 after the material (1) by striking the material “[The Department of Institutions is hereby authorized to provide facilities, services and funds for juvenile delinquents and juveniles tending toward delinquency through local non profit corporations or associations which have established District Youth Guidance Homes.]”, and

Further amend on page 2, Section 4, subsection (1), line 20, after the word “shall” by striking the material “[allocate to such local]” and inserting in lieu thereof the material “be authorized to contract with”, and

Further amend on page 2, Section 4, subsection (1), line 21, after the word “associations” by striking the material “[, for the providing of]” and inserting in lieu thereof the material “to provide”, and

Further amend on page 2, Section 4, subsection (1), line 22, after the word “for” by inserting the new material “juvenile delinquents and juveniles tending toward delinquency in” and

Further amend on page 2, Section 4, lines 29 and 30, after the word “judge” by striking the material “[of a judicial district in which a District Youth Guidance Home has been established]”, and

Further amend on page 3, Section 5, line 1, after the words “discretion to” by striking the word “[commit]” and inserting in lieu thereof the word “place”, and

Further amend on page 3, Section 5, line 4, after the word “birthday” by striking the period “[.]” and inserting in lieu thereof the following material “subject to the approval of its sponsoring non-profit corporation or association.”, and

Further amend on page 3, Section 6, line 7, after the words “to be” by striking the word “[committed]” and inserting in lieu thereof the word “placed”, and

Further amend on page 3, Section 7, line 10, after the word "court" by striking the word "[committing]" and inserting in lieu thereof the word "placing", and

Further amend on page 3, Section 8, line 15, after the word "judge" by striking the word "[Committing]" and inserting in lieu thereof the word "placing", and

Further amend on page 3, Section 8, line 21, after the word "child" by striking the word "[committed]" and inserting in lieu thereof the word "placed", and

Further amend on page 3, Section 10, line 30, after the word "Act" by inserting a period "." and striking the material "[and to govern the operation of District Youth Guidance]", and

Further amend on page 4, Section 10, lines 1 through 3 by striking the material "[Homes. Previous to the allocation of any funds by the Department of Institutions, the home must be approved by the department pursuant to rules, regulations and standards established by it.]"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 512, respectfully report as follows: That House Bill No. 512 be amended

Scott moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 9, of the title of the original and reproduced bill after the word "TO" by striking the material "[twenty-five thousand dollars (\$25,000.00)]" and inserting in lieu thereof the material "fifteen thousand dollars (\$15,000.00)", and

Further amend on page 1, line 12, of the title of the original and reproduced bill after the word "TO" by striking the material "[fifty thousand dollars (\$50,000.00)]" and inserting in lieu thereof the material "thirty thousand dollars (\$30,000.00)", and

Further amend on page 4, Section 1, on lines 3 and 4, after the material "[(\$10,000.00)]" by striking the material "[twenty-five thousand dollars (\$25,000.00)]" and inserting in lieu thereof the material "fifteen thousand dollars (\$15,000.00)", and

Further amend on page 4, Section 1, lines 7 and 8, after the material "[(\$20,000.00)]" by striking the material "[fifty thousand dollars (\$50,000.00)]" and inserting in lieu thereof the material "thirty thousand dollars (\$30,000.00)"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 514, respectfully report as follows: That House Bill No. 514 be amended

Scott moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 9, of the title of the original and reproduced bill after the word "of" by striking the material "[twenty-five thousand dollars (\$25,000.00)]" and inserting in lieu thereof the material "fifteen thousand dollars (\$15,000.00)", and

Further amend on page 1, line 14, of the title by striking the material after the word "to" "[fifty thousand dollars (\$50,000.00)]" and inserting in lieu thereof the material "thirty thousand dollars (\$30,000.00)", and

Further amend on page 1, Section 1, subsection 1, lines 27 and 28, after the material "(\$10,000)" by striking the material "[twenty-five thousand dollars (\$25,000)]" and inserting in lieu thereof the material "fifteen thousand dollars (\$15,000.00)", and

Further amend on page 2, Section 1, subsection 2, line 3, after the material "[\$10,000]" by striking the material "[twenty-five thousand dollars (\$25,000)]" and inserting in lieu thereof the material "fifteen thousand dollars (\$15,000)", and

Further amend on page 2, Section 1, subsection 2, line 5, after the material "[\$20,000]" by striking the material "[fifty thousand dollars (\$50,000)]" and inserting in lieu thereof the material "thirty thousand dollars (\$30,000)"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 516, respectfully report as follows: That House Bill No. 516 be amended

Scott moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 9, of the title of the original and reproduced bill after the word "to" by striking the material "[twenty-five thousand dollars (\$25,000.00)]" and inserting in lieu thereof the material "fifteen thousand dollars (\$15,000.00)" and

Further amend on page 1, line 12, of the title after the word "to" by striking the material "[fifty thousand dollars (\$50,000.00)]" and inserting in lieu thereof the material "thirty thousand dollars (\$30,000.00)", and

Further amend on page 2, Section 1, subsection (b) on lines 11 and 12, after the material "[\$10,000]" by striking the material "[twenty-five thousand dollars (\$25,000.00)]" and inserting in lieu thereof the material "fifteen thousand dollars (\$15,000.00)", and

Further amend on page 2, Section 1, subsection (b) lines 14 and 15 after the material "[\$20,000]" by striking the material "[fifty thousand dollars (\$50,000.00)]" and inserting in lieu thereof the material "thirty thousand dollars (\$30,000.00)"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 326, respectfully report as follows: That House Bill No. 326 be amended

Scott moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended on page 3, Section 3, subsection (b) lines 17 through 24, of the original and reproduced bill by striking the whole subsection (b) in its entirety, and

Further amend on page 3, Section 3, line 10, after the material "Interpretation." by striking the material "[a)]", and

Further amend on pages 5, 6, and 7, Section 8 by striking Section 8 in its entirety and renumbering the following sections accordingly, and

Further amend on page 11, Section 15, lines 5 through 10 by striking all of Section 15 in its entirety and renumbering the following sections accordingly.

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

Report adopted.

SCOTT, Chairman

February 6, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 515, respectfully report as follows: That House Bill No. 515 do not pass.

Report adopted.

SCOTT, Chairman

February 6, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 435, respectfully report as follows: That House Bill No. 435 do not pass.

Report adopted.

SCOTT, Chairman

February 6, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 436, respectfully report as follows: That House Bill No. 436 do not pass.

Report adopted.

SCOTT, Chairman

February 6, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 do not pass.

Report adopted.

SCOTT, Chairman

February 6, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 85, 132, 212.

MARKS, Chairman

February 6, 1971

I have examined House Bill No. 212 introduced by me and find the same to be correct.

EDLAND

February 6, 1971

I have examined House Bill No. 132 introduced by me and find the same to be correct.

BARDANOUE

February 6, 1971

I have examined House Bill No. 85 introduced by me and find the same to be correct.

AINSWORTH

The Speaker signed the following bills in open session, the title having first been read: House Bills Nos. 212, 132, 85.

MESSAGES FROM THE SENATE

February 5, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 21, introduced by Turnage, et al
Senate Bill No. 167, introduced by Stephens, et al
Senate Bill No. 223, introduced by Deschamps, Bertsche
Senate Bill No. 202, introduced by Sheehy
Senate Bill No. 287, introduced by Klindt, et al
Senate Bill No. 252, introduced by James, Stephens
Senate Bill No. 272, introduced by Manning
Senate Bill No. 91, introduced by Hafferman, Bennett
Senate Bill No. 230, introduced by Hafferman
Senate Bill No. 68, introduced by Carl, et al
Senate Bill No. 314, introduced by Gilfeather, Turnage

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 5, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following bills, title and history agreed to, and the bills are herewith returned to the House.

House Joint Resolution No. 45, introduced by Gunderson, et al

House Joint Resolution No. 4, introduced by Committee on Affairs of Cities.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 5, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in as amended the following bills, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate Amendments.

House Bill No. 133, introduced by Bardanouve, Kvaalen

House Bill No. 134, introduced by Bardanouve, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Towe, having voted on the prevailing side in adopting an adverse Committee of the Whole report on House Bill No. 343, moved that the House reconsider its action. Motion failed.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 21, introduced by Turnage, Sheehy, Klindt, Hazelbaker, Keenan, James: A bill for an act entitled: "An act prescribing uniform procedures for state administrative agencies, including: requirement for adoption of procedural rules; procedures for adoption, amendment or repeal of rules, including emergency rules; filing and publication of rules; judicial notice of rules; notice and hearing requirements for contested cases; procedures for contested case hearings; procedures for decision making in contested cases; judicial review of contested case decisions; declaratory rulings by agencies: declaratory judgments by courts regarding the validity and application of agency rules; subpoenas, subpoena enforcement and compelling testimony for agency proceedings; and right to representation in agency proceedings." Referred to Committee on State Administration.

Senate Bill No. 68, introduced by Carl, Northey, Boylan, Drake, McCallum, Flynn: A bill for an act entitled: "An act amending Section 26-302, R.C.M., 1947, to require big game hunter to wear not less than four hundred (400) square inches of hunter orange material on his head, chest, and back; making an exception for archers hunting during a season for archers only; and providing that a failure to wear hunter orange material shall not be evidence of contributory negligence in a civil action." Referred to Committee on Fish and Game.

Senate Bill No. 91, introduced by Hafferman, Bennett: A bill for an act entitled: "An act to make Montana traffic laws applicable to Forest Development Roads except as additional or conflicting rules may be designated by the United State Forest Service for portions thereof designated as Special Service Roads, and to confer law enforcement jurisdiction upon the Montana Highway Patrol and sheriffs of this state to enforce the traffic laws." Referred to Committee on Highways.

Senate Bill No. 167, introduced by Stephens, Bennett, James, DeWolfe: A bill for an act entitled: "An act amending Sections 60-131.1, 60-131.2, 60-131.3, 60-131.6 and 60-131.9, R.C.M., 1947, to extend the provisions of Sections 60-131.1 through 60-131.13, R.C.M., 1947, to include unitization of pools or parts thereof in a field for primary recovery of gas, and providing an effective date." Referred to Committee on Business and Industry.

Senate Bill No. 202, introduced by Sheehy: A bill for an act entitled: "An act providing that minors may give legal consent to obtain psychiatric or psychological counseling where need for such counseling is urgent; that such consent shall be binding on the minor and not subject to later disaffirmance by reason of such minority; that the consent of no other person shall be necessary in order to authorize care or services provided to such minor; providing that physicians who provide care or services under the terms of this act shall incur no civil or criminal liability, except that such immunity shall not apply to negligent acts or omissions; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 223, introduced by Deschamps, Bertsche: A bill for an act entitled: "An act to amend the reporting date and the expiration date of the interlocal cooperation commission, amending Section 11-4412 and 11-4416, R.C.M., 1947, enacted as Sections 12 and 16, Chapter 129, Laws of 1969." Referred to Committee on Townships and Counties.

Senate Bill No. 230, introduced by Hafferman: A bill for an act entitled: "An act amending Section 26-201, R.C.M., 1947, to provide for the genus acipenser (sturgeon) to be gamefish." Referred to Committee on Fish and Game.

Senate Bill No. 252, introduced by James, Stephens: A bill for an act entitled: "An act amending Sections 16-4801, 16-4803, 16-4804 and 16-4805, R.C.M., 1947, removing the county clerk as the clerk of the Park Board, providing for the employment of a secretary and/or superintendent to provide for the disbursement of funds, relating to the validity of claims to be paid, and providing an effective date." Referred to Committee on Townships and Counties.

Senate Bill No. 272, introduced by Manning: A bill for an act entitled: "An act to amend Section 16-1406, R.C.M., 1947, to permit the increase of the appropriation for county fairs." Referred to Committee on Townships and Counties.

Senate Bill No. 287, introduced by Klindt, Drake, Lowe, McOmber: A bill for an act entitled: "An act to amend Section 26-202.2, R.C.M., 1947, to provide a seven (7) year waiting period for persons who have killed a grizzly bear." Referred to Committee on Fish and Game.

Senate Bill No. 314, introduced by Gilfeather, Turnage: A bill for an act entitled: "An act to provide for recording of abstracts of instruments and providing for constructive notice thereof; amending Sections 16-2902, 73-107, 73-114, 73-115, 73-116, R.C.M., 1947." Referred to Committee on Judiciary.

House Resolution No. 6, introduced by Robbins, Asbjornson, Bradley: A Resolution of the House of Representatives of the State of Montana requesting that the Legislative Council conduct a study of the need and feasibility of deriving revenue from all tax-exempt property to provide funding in support of fire and police protection provided tax-exempt facilities and report its findings, together with recommendations and any necessary implementing legislation to the Forty-third Legislative Assembly. Referred to Committee on Ways and Means.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole, for the consideration of business under Second Reading. Motion carried.

Forester in the Chair. Committee arose.

House resumed: Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 556 do pass.

That House Bill No. 553 be passed for the day.

That House Bill No. 449 do pass.

That House Bill No. 331 be passed for the day.

That House Bill No. 329 do pass.

That House Bill No. 464 do pass.

That House Bill No. 416 do pass.

That House Bill No. 448 be amended in Section 1, subsection (b), page 2, line 3 of the Committee Approved Bill by striking the following words and figures "ten (10)" and inserting in lieu thereof the following words and figures "eleven (11)".

And further amend Section 1, subsection (c), page 2, line 6 of the Committee Approved Bill by striking the following words and figures "fifteen (15)" and inserting in lieu thereof the following words and figures "sixteen (16)".

And, as so amended, do pass.

That House Bill No. 565 be passed for the day.

That House Joint Resolution No. 40 do pass.

That House Joint Resolution No. 46 do pass.

That House Bill No. 559 be passed for the day.

That House Bill No. 205 do pass.

That House Bill No. 460 do not pass.

That House Bill No. 463 do pass.

That House Bill No. 468 do pass.

That House Bill No. 291 do pass.

That House Bill No. 338 be amended in Section 3, subsection (a), page 2, line 14 of the original bill by inserting after the word "defined" the following words and punctuation: "and students employed at an amusement or recreational establishment that operates on a seasonal basis."

Further amend at Section 3, subsection (b), page 2, line 25 of the original bill by inserting after the words and punctuation "workers." the following words and punctuation: "Employers of students at an amusement or recreational area that operates on a seasonal basis who furnish said students with board, lodging or other facilities shall not employ said students for a work week longer than forty-eight (48) hours, unless such students receive compensation for his employment in excess of forty-eight (48) hours in a work week at a rate of not less than one and one-half times the hourly wage rate at which he is employed."

And further amend Section 3, page 2 by adding a new subsection following subsection B of said Section reading as follows:

(d) In the case of a farm worker employed for a part of a calendar year which includes periods requiring working hours in excess of eight hours per day and other seasonal periods requiring working hours substantially less than eight hours per day the employer may pay the worker at a fixed rate of compensation during the term of employment. The

employer shall keep a record of the total number of hours worked by the worker during the part of the year during which the worker was employed by him. The total wages paid by such employer to such employee for that part of the year during which said employee was employed by him shall not be less than the applicable minimum wage rate multiplied by the total number of hours so worked.

And further amend in Section 7, on page 5, line 9 of the bill as approved by the House Labor and Compensation Committee, by adding the following new material after the word "salaries": ", but shall not apply to employees covered by the Fair Labor Standards Act"

And, as so amended, do pass.

That the Committee rise and report.

FORESTER, Chairman

Forester moved that the House suspend Rules and consider the amendments to House Bill No. 338 be considered read in full. Motion carried.

Forester moved for adoption of the Committee of the Whole report.

As a substitute motion, Ulmer moved that House Bill No. 329 be segregated. After discussion, Ulmer withdrew his motion. Thereupon, the Committee of the Whole report was adopted.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 141 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmill, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: Brown, Lundgren. Total 2.

Excused: Ellerd. Total 1.

House Bill No. 144 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick,

Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Brown, Haines, Lundgren. Total 3.

Excused: Ellerd. Total 1.

House Bill No. 149 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. B. Smith, Snortland, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 87.

Noes: Ainsworth, East, Fitzgarrald, Haines, Hemstad, Himsl, Jackson, Kvaalen, McNamer, T. L. Murphy, Nichols, Olson, C. M. Smith, Spilde, Sverdsten, Wolf. Total 16.

Absent or not voting: None.

Excused: Ellerd. Total 1.

House Bill No. 230 was passed by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker: Total 84.

Noes: Aber, Ainsworth, Brown, Burnett, Clemow, Fitzgarrald, Giesick, Haines, Kvaalen, Lundgren, Lynch, Nichols, Perry, Prevost, C. M. Smith, E. B. Smith, Swan, Whitney, Wolf. Total 19.

Absent or not voting: None.

Excused: Ellerd. Total 1.

House Bill No. 262 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Cox, Darrow, Dye, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut,

Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. M. Smith, Snortland, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 89.

Noes: Aber, Burnett, Clemow, Devine, East, Edland, Kvaalen, McNamer, Robbins, E. B. Smith, Spilde, Swan, Whitney. Total 13.

Absent or not voting: Zimmer. Total 1.

Excused: Ellerd. Total 1.

House Bill No. 275 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Menahan, J. E. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Shelden, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Burnett, Forester, Keller, Lien, T. L. Murphy, Schoonover, Scott, Selstad, C. M. Smith, E. B. Smith, Snortland, Spilde, Whitney, Wolf. Total 14.

Absent or not voting: Mehrens. Total 1.

Excused: Ellerd. Total 1.

House Bill No. 298 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103.

Noes: None.

Absent or not voting: None.

Excused: Ellerd. Total 1.

House Bill No. 313 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad,

Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103.

Noes: None.

Absent or not voting: None.

Excused: Ellerd. Total 1.

House Bill No. 335 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fashbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Towe, Ulmer, Watt, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Lund, T. L. Murphy, Scott, Swanberg, Warfield, Yardley. Total 6.

Absent or not voting: Lundgren. Total 1.

Excused: Ellerd. Total 1.

House Bill No. 342 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fashbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harrison, Himsl, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McKittrick, McNamer, Marbut, Mather, J. E. Murphy, Nichols, Parrish, Patrick, Perry, Nelstead, Prevost, Robbins, Schoonover, Scott, Selstad, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Whitney, Wolf, Zimmer, Zody, Mr. Speaker. Total 74.

Noes: Ainsworth, Baeth, Campbell, Forester, Gunderson, Harper, Healy, Hemstad, Hodges, Kendall, Laas, Lee, Lien, Lombardi, Lynch, McGrath, Marks, Mehrens, T. L. Murphy, Norman, Olson, Quilici, Towe, Watt, Weeding, Worden, Yardley. Total 27.

Absent or not voting: Menahan, Shelden. Total 2.

Excused: Ellerd. Total 1.

Harrison moved that the House adjourn until 12:30 p.m., February 7, 1971.

Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

THIRTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 7, 1971

House convened, pursuant to adjournment, at 12:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Ellerd, Fleming, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-Fourth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

February 7, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 556, 449, 329, 464, 416, 205, 463, 468, 291, 448, 338, House Joint Resolutions Nos. 40, 46.

MARKS, Chairman

February 7, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 168, 462, 541, 174, 316, 326, 333, 390, 497, 512, 514, 516, 531, House Joint Resolutions Nos. 33, 42, 29, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 7, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do not pass.

KELLER, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 511, respectfully report as follows: That House Bill No. 511 do not pass.

KELLER, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 do not pass.

KELLER, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 358, respectfully report as follows: That House Bill No. 358 do pass.

KELLER, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 170, respectfully report as follows: That House Bill No. 170 do pass.

KELLER, Chairman

Report adopted.

February 4, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 249, respectfully report as follows: That House Bill No. 249 be amended

Hemstad moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended in the title, page 1, line 17, following the word "milk" by striking the words "and cream";

Be amended in the title, page 1, line 24, following the word "milk" by striking the words "and cream";

Be amended in the title, page 2, line 11, following the word "act" by inserting the following: "; providing an effective date.";

Be amended in section 1, page 2, line 18, following the word "milk" by striking the words "and cream";

Be amended in section 1, page 2, line 24, following the word and period "plant," by adding the following: "For the purpose of promulgating these first original and unamended regulations, a committee composed of dairymen and manufactured dairy products plant operators, shall advise and assist the commissioner in the development and modification of such regulations.

"This committee shall be selected in the following manner: Each manufactured dairy products plant operator and one of his regular milk producers shall be entitled to serve co-equally with the commissioner in the development, modification and finalizing of such proposed original and unamended regulations. Prior to such committee meeting the commissioner shall inform all manufactured dairy products plant operators concerned of their right to serve on the above mentioned committee. Notification of such committee meeting shall be given to each manufactured dairy products plant operator concerned not less than thirty (30) days in advance of such scheduled committee meeting.

"Failure upon the part of any manufactured dairy products plant operator and/or his selected milk producer to appear at such committee meeting shall constitute a waiver of his rights as provided for above.";

Be amended in section 2, page 2, line 28, following the word and comma "packaging," by striking the word "labeling,";

Be amended in section 3, page 3, line 2, following the word "milk" by striking the words "or cream";

Be amended in section 10, page 13, on line 7, by striking the figures "27-725" and inserting in lieu thereof the figures "27-723";

Be amended in section 14, page 15, following the line 16, by inserting the following: "Regulatory action may not be taken against any dairyman licensed under this act until two (2) years following the promulgation and adoption of the regulations as authorized under this act.";

Be amended in section 25, page 22, line 19, by striking sub-section j. "j. Low fat ice cream and/or its mix" in its entirety:

Be amended in section 25, page 22, line 20, following the word "Dairies"

by striking "producing milk and/or cream for manufacturing purposes. Provided, however, that this license shall not be required until January 1 of the year following adoption of this act." and inserting in lieu thereof the following: "5.00";

Be amended in section 25, page 22, line 23, following the word "Provided" by striking the word and comma "too,";

Be amended in section 32, page 26, line 23, following the word "is" by striking the following: "manufactured in a plant other than that of the wholesaler or retailer whose name appears on the package or wrapper, the package or wrapper shall also show the name of the plant at which such product was manufactured. Provided, however, that nothing in this section of the act shall be construed as preventing the use of codes or numbers which designate the manufacturer" and inserting in lieu thereof the following: "packaged in a plant other than that of the plant which name appears on the package or wrapper, the package or wrapper shall also show the name of the plant at which such product was packaged or wrapped. Provided, however, that nothing in this section of the act shall be construed as preventing the use of codes or numbers which designate the packaging or wrapping plant."

And as amended, do pass.

HEMSTAD, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 39, respectfully report as follows: That House Joint Resolution No. 39 do pass.

WARFIELD, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 466, respectfully report as follows: That House Bill No. 466

Be amended on page 1, section 1., line 15, after the word "least" by deleting the word "[one]" and inserting in lieu thereof the word "once", and

Be further amended on page 1, section 1., line 18, after the word "affairs" by striking the following material "[of the affairs]", and

(Material in brackets denotes cancelled type.)

As amended, do pass.

WARFIELD, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 446, respectfully report as follows: That House Bill No. 446

Be amended on page 1, line 9, of the title of the original bill after the word "the" by striking "[Further relating to an increase in the minimum retirement benefit paid by the Teachers Retirement System]" and inserting in lieu thereof the new material "Further relating to an increase in the benefits of teachers retired before July 1, 1969", and

Be further amended on page 10, section 2, following line 5 by inserting the following new material, "(h) Every beneficiary receiving a superannuation allowance on June 30, 1969, shall be entitled to an increase in his superannuation allowance of five per cent (5%) beginning July 1, 1971, but if he is eligible under subsections (2) (d) or (2) (3) above and the

benefit thereunder is larger than the increased retirement allowance prescribed herein, this provision shall not apply", and

(Material in brackets denotes cancelled type.)

As so amended, do pass.

WARFIELD, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 172, respectfully report as follows: That House Bill No. 172 do not pass.

WARFIELD, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 551, respectfully report as follows: That House Bill No. 551 do not pass.

WARFIELD, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 400, respectfully report as follows: That House Bill No. 400 do not pass.

WARFIELD, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 506, respectfully report as follows: That House Bill No. 506 do not pass.

WARFIELD, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Bill No. 552, respectfully report as follows: That House Bill No. 552 be amended

Fagg moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 6 of the title of the original bill, before the word "act" by striking the word "[at]" and inserting in lieu thereof the word "an", and

Be further amended on page 1, line 8 of the title of the original bill, after the material "R.C.M." by striking the figures "[1946]" and inserting in lieu thereof the figures "1947", and

Be further amended on page 1, line 15 of the original bill, after the word "of" by striking the following material "[forty-two (42)]" and inserting in lieu thereof the following new material "forty-five (45)", and

(Material in brackets denotes cancelled type.)

Be further amended on page 1, line 21 through and including page 3, line 24 of the original bill, by striking the material therein in its entirety and inserting in lieu thereof the following new material:

- | | | |
|---|---|---|
| 1 | 1 | Carter; Powder River; Treasure; Big Horn less Precinct No. 15; and Precincts 7, 15, 17 of Rosebud |
| 2 | 1 | Dawson; Wibaux; and Precincts 1, 2 of Fallon |
| 3 | 1 | Richland; McCone; Prairie; Garfield |
| 4 | 1 | Roosevelt; Sheridan |
| 5 | 1 | Daniels; Valley |

6	1	Custer; Precincts 4, 7, 8 of Fallon; Rosebud less Precincts 7, 15, 17
7	1	Blaine; Phillips; Precincts 14, 16, 25, 28 of Hill
8	1	Petroleum; Musselshell; Golden Valley; Wheatland; Precinct 14 of Fergus; Precincts 1, 15, 18, 19, 25, 27, 30, 37, 70, 79 of Yellowstone
9	5	Yellowstone less Precincts 1, 15, 18, 19, 25, 27, 30, 37, 70, 79
10	1	Carbon; Stillwater; Sweet Grass; Precinct 15 of Big Horn
11	1	Park; Meagher; Broadwater
12	1	Judith Basin; Fergus less Precinct 14
13	1	Chouteau; Precincts 27, 28, 29, 30, 31, 32, 33, 35 of Cascade
14	1	Liberty; Hill less Precincts 14, 16, 25, 28
15	1	Toole; Glacier
16	1	Pondera; Teton
17	5	Cascade less Precincts 27, 28, 29, 30, 31, 32, 33, 35
18	2	Lewis and Clark
19	2	Jefferson; Powell; Granite; Deer Lodge
20	1	Beaverhead; Madison; Precincts 24, 27, 29 of Gallatin
21	2	Gallatin less Precincts 24, 27, 29
22	3	Silver Bow
23	1	Ravalli
24	4	Missoula less Precincts 27, 28, 31, 32, 35
25	1	Mineral; Sanders; Precincts 27, 28, 31, 32, 35 of Missoula; Precincts 13, 23, 24, 25, 26 of Lake
26	1	Lake less Precincts 13, 23, 24, 25, 26; Precincts 12, 13, 29, 34, 38 of Flathead
27	2	Flathead less Precincts 12, 13, 29, 34, 38
28	1	Lincoln

And be further amended on page 3, line 28 of the original bill, after the word "of" by striking the material "[eighty-five (85)]" and inserting in lieu thereof the new material "eighty-eight (88)", and

(Material in brackets denotes cancelled type.)

Be further amended on page 4, line 4 through and including page 6, line 9 of the original bill, by striking the material therein in its entirety and inserting in lieu thereof the following new material:

1	2	Carter; Powder River; Treasure; Big Horn less Precinct 15; and Precincts 7, 15, 17 of Rosebud
2	2	Dawson; Wibaux, Precincts 1, 2 of Fallon
3	2	Richland; McCone; Prairie; Garfield
4a	1	Sheridan; Precincts 2, 3, 4, 6, 8, 9, 10, 11, 12, 13, 14 of Roosevelt
4b	1	Roosevelt less Precincts 2, 3, 4, 6, 8, 9, 10, 11, 12, 13, 14
5	2	Daniels; Valley
6	2	Custer; Precincts 4, 7, 8 of Fallon; Rosebud less Precincts 7, 15, 17
7	2	Phillips; Blaine; Precincts 14, 16, 25, 28 of Hill
8a	1	Petroleum; Musselshell; Golden Valley; Wheatland; Precinct 14 of Fergus
8b	1	Precincts 1, 15, 18, 19, 25, 27, 30, 37, 70, 79 of Yellowstone
9	10	Yellowstone less Precincts 1, 15, 18, 19, 25, 27, 30, 37, 70, 79
10	2	Carbon; Stillwater; Sweet Grass; Precinct 15 of Big Horn
11	2	Park; Meagher; Broadwater
12	2	Judith Basin; Fergus less Precinct 14

13a	1	Chouteau, Precinct 27 of Cascade
13b	1	Precincts 28, 29, 30, 31, 32, 33, 35 of Cascade
14	2	Liberty; Hill less Precincts 14, 16, 25, 28
15	2	Glacier; Toole
16	2	Pondera; Teton
17	10	Cascade less Precincts 27, 28, 29, 30, 31, 32, 33, 35
18	4	Lewis and Clark
19a	1	Jefferson; Precincts 1, 8, 10, 11, 12, 14 of Powell
19b	1	Granite; Powell less Precincts 1, 8, 10, 11, 12, 14
20a	1	Madison; Precincts 24, 27, 29 of Gallatin
20b	1	Beaverhead
21	4	Gallatin less Precincts 24, 27, 29
22	5	Silver Bow
23	2	Deer Lodge
24	2	Ravalli
25	7	Missoula less Precincts 27, 28, 31, 32, 35
26	2	Mineral; Sanders; Precincts 27, 28, 31, 32, 35 of Missoula; Precincts 13, 23, 24, 25, 26 of Lake
27	2	Lake less Precincts 13, 23, 24, 25, 26; Precincts 12, 13, 29, 34, 38 of Flathead
28	4	Flathead less Precincts 12, 13, 29, 34, 38
29	2	Lincoln

And be further amended on page 6, following line 9 of the original bill, by inserting the following new material:

Section 3. Multi-member districts may be divided into single member districts under the following conditions:

(a) A petition representing eight per cent (8%) of the registered voters of a multi-member district has been submitted to the county clerk and recorder of each county, or portion of a county, in the district;

(b) The county commissioners of each county which in part, or whole, consists of a portion of a multi-member district shall establish a time of election;

(c) A majority of the registered voters of the district so orders;

(d) The plan of single-member districts shall be effective upon the approval of the majority of the county commissioners of each county which, in part or whole, consists of a portion of the multi-member district;

(e) Single member districts shall be as compact as possible, comprise contiguous territory and shall be as nearly equal as practicable in population, and

Further amend subsequent sections to conform numerically, and

As so amended, do pass.

FAGG, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 6, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 149, introduced by McKeon, Flynn
Senate Bill No. 322, introduced by Bennett, et al
Senate Bill No. 199, introduced by Reardon, et al
Senate Bill No. 109, introduced by McKeon, Siderius, Graham
Senate Bill No. 102, introduced by Lynch, Boylan, Moore
Senate Bill No. 281, introduced by Sheehy, et al
Senate Bill No. 222, introduced by Thiessen, et al
Senate Bill No. 54, introduced by Lynch, Reardon, Shea
Senate Bill No. 205, introduced by Sheehy, Hazelbaker
Senate Bill No. 144, introduced by Northey, et al
Senate Bill No. 215, introduced by Mackay, et al
Senate Bill No. 242, introduced by Turnage, Stein (by request)
Senate Bill No. 328, introduced by Mackay, et al
Senate Joint Resolution No. 13, introduced by Moore, et al
Senate Joint Resolution No. 14, introduced by Klindt, et al
Senate Joint Resolution No. 15, introduced by Lyon
Senate Joint Resolution No. 25, introduced by Dzivi
Senate Joint Resolution No. 26, introduced by Flynn, Bertsche

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 6, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate Committee on Taxation recommended this day that House Bill No. 181 be not concurred in, report adopted, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 6, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in, as amended, House Bill No. 267, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate Amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MESSAGES FROM THE GOVERNOR

February 3, 1971

Honorable James P. Lucas
Speaker for the House
State Capitol
Helena, Montana

Dear Mr. Speaker:

I was somewhat amazed to read published reports in the morning newspapers of this date of the intentions of the Chairman of the House Committee on Executive Reorganization to invite the State's Chief Executive to appear before his committee regarding legislative proposals of the bi-partisan Executive Reorganization Commission.

I find no precedent in the annals of Constitutional government for such a request. As you and I understand, there must be a constant vigilance on the part of sincere public servants that the separation of the legislative, executive and judicial branches of government be assured.

Many times, I feel compelled to go directly to the Legislature and appear before the body as a whole to spell out my arguments for and against. However, my experience in the legislative, judicial and executive branches of the government has impressed upon me the need to strictly maintain the separation of powers as stated in the Constitution.

I want you, and all members of the 42nd Assembly, to know I am always available to talk with individuals or groups of legislators about any problems or questions they may have.

The suggestion, however, of a public forum between elected officials of the executive branch of government and members of the Legislature is not consistent with the admonishment contained within the Constitution.

I would appreciate it if you, as Speaker of the House of Representatives, would advise the Chairman to engage in a further study of the provision of the Constitution and reconsider his proposal. Otherwise, I believe the stage is set for an unwholesome precedent in the application of the Constitution to the conduct of state government.

Sincerely,

FORREST H. ANDERSON
Governor

MOTIONS AND RESOLUTIONS

Schoonover, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse Committee of the Whole report on the 34th Legislative Day on House Bill No. 460. Motion failed.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 54, introduced by Lynch, Reardon, Shea: A bill for an act entitled: "An act establishing certificates of ownership and records of theft of snowmobiles, regulating operation of snowmobiles, providing exemptions, transfer of interest, prohibiting licensing and registration by political subdivisions, establishing enforcement, and providing penalties for any violation of this act; repealing Sections 53-1001 through 53-1011, R.M.C., 1947." Referred to Committee on Highways.

Senate Bill No.102, introduced by Lynch, Boylan, Moore: A bill for an

act entitled: "An act to provide false arrest insurance for sheriffs and sheriffs' departments." Referred to Committee on Judiciary.

Senate Bill No. 109, introduced by McKeon, Siderius, Graham: A bill for an act entitled: "An act to amend Section 92-706, R.C.M., 1947, so as to delete the five thousand dollars (\$5,000) limitation in payment of medical benefits; delete references to hospital contracts; and provide for stabilization of hospital fees and charges." Referred to Committee on Labor and Compensation.

Senate Bill No. 144, introduced by Northey, Klindt, Hazelbaker, Mitchell, Bertsche: A bill for an act entitled: "An act to provide for the protection and conservation of all birds of the orders falconiformes, stratiiformes, anseriformes, ciconiiformes and coraciiformes (commonly called hawks, owls, waterfowl, herons and kingfishers, respectively); protection and conservation of certain birds of the order passeriformes (blackbirds and jays); to change exemptions from general provisions to read predatory mammals instead of predatory animals; to change the names of certain birds exempted from general provisions to conform to the American Ornithological Union's nomenclature; to exempt certain introduced birds of the order passeriformes (starlings) and columbiformes (rock doves) from general provisions; to provide for licensing and regulation of the sport of falconry; and to amend Sections 26-215 and 26-501, R.C.M., 1947." Referred to Committee on Fish and Game.

Senate Bill No. 149, introduced by McKeon, Flynn: A bill for an act entitled: "An act to require dust control on slum ponds, settling ponds and lagoons used by industrial concerns, businesses or commercial enterprises, and providing a penalty for their failure to prevent dust and debris from being spread by wind from such ponds and lagoons." Referred to Committee on Environment and Resources.

Senate Bill No. 199, introduced by Reardon, Lynch, Vainio, Sheehy, Rostad, Flynn, Rosell, Shea, Hazelbaker, McKeon: A bill for an act entitled: "An act to provide free license plates to permanently and totally disabled veterans of the Armed Forces of the United States whose disability is service connected." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 205, introduced by Sheehy, Hazelbaker: A bill for an act entitled: "An act to amend the Motor Carrier Act setting the fees required for filing various documents." Referred to Committee on Highways.

Senate Bill No. 215, introduced by Mackay, Mathers, Thiessen, Graham: A bill for an act entitled: "An act to amend Sections 79-414, 79-415, 79-603 and 82-110, R.C.M., 1947, to establish more precise fiscal control measures and accounting procedures." Referred to Committee on State Administration.

Senate Bill No. 222, introduced by Thiessen, Graham, Mackay, Mathers: A bill for an act entitled: "An act to amend Sections 67-2211, 67-2212, 67-2213, 67-2214, 67-2215, 67-2216, 67-2217, 67-2218, 67-2219, 67-2220, 67-2221, 67-2222, 67-2223, 67-2224, 67-2225, and 67-2226, R.C.M., 1947, providing for the disposition of unclaimed property in the State of Montana by transferring the duties from the office of the State Treasurer to the State Board of Equalization." Referred to Committee on Judiciary.

Senate Bill No. 242, introduced by Turnage, Stein, by request: A bill for an act entitled: "An act amending Section 80-2210, R.C.M., 1947, relating to recommitment of sentence of persons under the age of twenty-one(21) years who had been sentenced to prison and to the commitment of such person to the Department of Institutions and to the transfer of such person to a juvenile facility by providing that prisoners of the state prison of the age of twenty-five (25) or younger may be transferred from the prison to the Swan River Youth Forest Camp." Referred to Judiciary.

Senate Bill No. 281, introduced by Sheehy, Mackay, Brownfield, Graham: A bill for an act entitled: "An act to amend Section 81-502, R.C.M., 1947, to provide for the exchange of state coal leases issued prior to July 1, 1967, for a term of ten (10) years or less, for leases having a term of twenty (20) years." Referred to Committee on Business and Industry.

Senate Bill No. 322, introduced by Bennett, Nees, Mathers, Rostad, Hazelbaker, Turnage, Flynn, James, DeWolfe, McGowan, Cotton, McDonald: A bill for an act entitled: "An act to create a capitol building and planning committee, establishing functions and guidelines under the general supervision of this legislative council; and providing an immediate effective date." Referred to Committee on Long-Range Building.

Senate Bill No. 328, introduced by Mackay, Thiessen, Graham, Mathers: A bill for an act entitled: "An act to amend Sections 91-502, 91-504 through 91-508 and 91-523, R.C.M., 1947, to move the record keeping function and administration of personal property sales under the Escheated Property Act from the office of the State Treasurer to the State Board of Equalization." Referred to Committee on State Administration.

Senate Joint Resolution No. 13, introduced by Moore, Mackay, Rehberg, Klindt, Sheehy, Lowe, Graham, Rosell, Stein: A joint resolution of the Senate and House of Representatives of the State of Montana respectfully urging the Honorable Forrest H. Anderson, Governor, and the State Department of Planning and Economic Development to retain the South-central Montana Development Federation intact. Referred to Committee on Environment and Resources.

Senate Joint Resolution No. 14, introduced by Klindt, Sheehy, Moore, Shea: A Joint Resolution of the Senate and House of Representatives to the Montana Constitutional Convention asking for inclusion of a Bill of Rights in any newly proposed Montana Constitution. Referred to Committee on Constitutional Convention.

Senate Joint Resolution No. 15, introduced by Lyon: A Joint Resolution of the Senate and House of Representatives consenting to the use of any of the facilities, furniture, fixtures, supplies and other property of the Montana Legislative Assembly by the Constitutional Convention. Referred to Committee on State Administration.

Senate Joint Resolution No. 25, introduced by Dzivi: A Joint Resolution of the Senate and House of Representatives requesting and directing the Criminal Law Commission to submit a separate bill for each chapter of the proposed criminal code revision to be submitted to the Forty-third Legislative Session. Referred to Committee on Judiciary.

Senate Joint Resolution No. 26, introduced by Flynn, Bertsche: A Joint Resolution of the Senate and House of Representatives to the State Fish and Game Commission and the Historical Society of Montana directing the placing of historical markers and information signs along the Missouri River from Fort Benton to the Fred Robinson Bridge to point out and inform floaters and boaters about points of interest. Referred to Committee on Fish and Game.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Mather in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 553 be passed for the day.

That House Bill No. 331 be amended in the Title by striking out in line 3 the words "flat fee" and inserting in lieu thereof the word "tax", and

Further amend section 1 by striking out in line 24 the words "flat fee" and inserting in lieu thereof the word "tax", and

Further amend section 1, subsection 4 by striking out in line 20 the word "fee" and inserting in lieu thereof the word "tax", and

Further amend section 1, subsection 3 by striking out in line 18 the word "fee" and inserting in lieu thereof the word "tax", and

As amended, do pass.

That House Bill No. 565 be passed for the day.

That House Joint Resolution No. 32 do pass.

That House Bill No. 559 be passed for the day.

That House Bill No. 250 do pass.

That Senate Amendments to House Bill No. 133 be concurred in.

That Senate Amendments to House Bill No. 134 be concurred in.

That consideration of Senate Bills Nos. 160 and 66 be passed for the day.

That House Bill No. 351 be amended in the title by striking the period and adding "and providing an effective date.", and

As amended, do pass.

That House Bill No. 426 do pass.

That House Bill No. 457 do pass.

That House Bill No. 521 do pass.

That House Bill No. 570 do pass.

That House Bill No. 363 do pass.

That House Bill No. 510 be passed for the day.

That House Bill No. 433 do pass.

That House Bill No. 517 do pass.

That House Bill No. 572 do pass.

That House Bill No. 345 do pass.

That House Joint Resolution No. 50 do pass.

That House Bill No. 547 be passed for the day.

That House Bill No. 45 do pass.

That the Committee rise and report.

MATHER, Chairman

Mather moved for the adoption of the Committee of the Whole report.

As a substitute motion, Keller moved that House Bill No. 250 be segregated from the Committee of the Whole report and that a roll call vote be taken, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Burnett, Campbell, Darrow, East, Falkenstern, Fitzgarrald, Forester, Haines, Hemstad, Keller, Kvaalen, Lockrem, Lundgren, McNamer, Marks, Nichols, Olson, Patrick, Nelstead, Prevost, Selstad, C. Smith, E. Smith, Spilde, Swan, Ulmer, Whitney, Wolf, Worden. Total 33.

Noes: Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Devine, Dye, Edland, Eggebrecht, Fagg, Fasbender, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, T. Murphy, Norman, Parrish, Perry, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Staigmiller, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 68.

Absent or not voting: J. Murphy. Total 1.

Excused: Ellerd, Fleming. Total 2.

As a substitute motion, Swan moved that House Bill No. 433 be segregated from Committee of the Whole report. Motion carried.

As a substitute motion, Mather moved that House Bill No. 45 be segregated from Committee of the Whole report and that the amended report be adopted. H requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Burnett, Campbell, Cox, Darrow, Dye, East, Falkenstern, Fitzgarrald, Glennen, Haines, Hall, Harrison, Hemstad, Himsl, Jackson, Keller, Kvaalen, Lund, Lundgren, McKittrick, McNamer, Marks, Mather, Nichols, Olson, Perry, Nelstead, Prevost, Scott, Selstad, C. Smith, E. Smith, Spilde, Staigmiller, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 46.

Noes: Anderson, Baeth, Bardanouve, Bradley, Brand, Brown, Christiansen, Clemow, Devine, Edland, Eggebrecht, Fagg, Fasbender, Forester, Gerke, Giesick, Greely, Gunderson, Harper, Healy, Hodges, Johnston, Kendall, Knudsen, Kolstad, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lynch, McGrath, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Patrick, Quilici, Robbins, Schoonover, Shelden, Snortland, Sverdsten, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 54.

Absent or not voting: Kosena, J. Murphy. Total 2.

Excused: Ellerd, Fleming. Total 2.

Thereupon, the Committee of the Whole report was adopted as amended.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 272 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy,

Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 81.

Noes: Aber, Burnett, Clemow, East, Giesick, Harper, Healy, Hemstad, Jackson, Keller, Lee, Lombardi, Lundgren, McGrath, Mehrens, Perry, Selstad, C. Smith, E. Smith, Snortland, Spilde. Total 21.

Absent or not voting: None.

Excused: Ellerd, Fleming. Total 2.

House Bill No. 360 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Bardanouve, Brand, Hall, Knudsen, Olson, Perry, Prevost, Wolf. Total 8.

Absent or not voting: None.

Excused: Ellerd, Fleming. Total 2.

House Bill No. 385 failed to pass by the following vote:

Ayes: Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Fاسبender, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Parrish, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Warfield, Watt, Weeding, Yardley, Zody. Total 45.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Eggebrecht, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf, Worden, Zimmer, Mr. Speaker. Total 57.

Absent or not voting: None.

Excused: Ellerd, Fleming. Total 2.

House Bill No. 395 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund,

Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 101.

Noes: None.

Absent or not voting: Mr. Speaker. Total 1.

Excused: Ellerd, Fleming. Total 2.

House Bill No. 396 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: None.

Excused: Ellerd, Fleming. Total 2.

House Bill No. 399 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 100.

Noes: None.

Absent or not voting: Dye, Mr. Speaker. Total 2.

Excused: Ellerd, Fleming. Total 2.

Without objection, the House was on Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Harrison moved that House Bill No. 586 be moved to the top of the list. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 586 failed to pass by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Nelstead, Scott, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 52.

Noes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Perry, Prevost, Quilici, Robbins, Schoonover, Shelden, E. Smith, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 52.

Pairs: Dye, Aye; Fleming, No. Ellerd, Aye; E. Smith, No.

Absent or not voting: None.

Excused: None.

Harrison moved that the House adjourn until 1:30 p.m. February 8, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

THIRTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 8, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Edland, Eggebrecht, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-Fifth Legislative Day, find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

February 8, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 170, 358, 551, 249, 446, 466, 552, House Joint Resolution

No. 39, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 8, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 45, 250, 345, 363, 426, 457, 517, 521, 570, 572, 331, 351, House Joint Resolutions Nos. 32, 50.

MARKS, Chairman

February 7, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following House Joint Resolutions correctly enrolled: Nos. 4, 45.

MARKS, Chairman

February 8, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Philip C. Rasmussen, Doorkeeper, be removed from the payroll effective February 6, 1971.

And further recommend that Dan Leslie Frantz be added to the payroll as Doorkeeper effective February 8, 1971.

KOLSTAD, Vice Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 do pass.

COX, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 386, respectfully report as follows: That House Bill No. 386 do pass.

COX, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 387, respectfully report as follows: That House Bill No. 387 do pass.

COX, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 388, respectfully report as follows: That House Bill No. 388 do pass.

COX, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 389, respectfully report as follows: That House Bill No. 389 do pass.

COX, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 501, respectfully report as follows: That House Bill No. 501 do pass.

COX, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 pass without recommendation.

COX, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 53, respectfully report as follows: That House Bill No. 53 be amended

Cox moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 4 of the title of the original bill after the word and punctuation "entitled:" and before the word "and" on line 5, by deleting the material therein and inserting in lieu thereof the following material: "An act amending Sections 32-3702 and 32-3703, R.C.M., 1947, relating to the local use of registration and other vehicle fees:", and

Be further amended on page 1, line 8 of the original bill by adding a new Section 1 as follows: "Section 1. Section 32-3702, R.C.M., 1947, is amended to read as follows: '32-3702. Population centers—city road fund—county road fund.'", and

Be further amended on page 1, line 10, Section 1, subsection (a) of the original bill, after the "(a)" by deleting the following material: "[one hundred per cent (100%)]" and reinserting the following material: "Fifty per cent (50%)", and

Be further amended on page 1, line 13, Section 1, subsection (a), sub-subsection (i) of the original bill by reinserting the deleted material: "(i) Having a population of thirty-five thousand (\$35,000) or more according to the federal census of 1930.", and

Be further amended on page 1, line 13, Section 1, subsection (a), sub-subsection (i) after the word "of" by deleting the following material: "[thirty-five thousand (35,000)]" and inserting in lieu thereof the following material: "ten thousand (10,000)", and

Be further amended on page 1, line 14, Section 1, subsection (a), sub-subsection (i), after the word "of" by deleting the figures "[1930]" and inserting in lieu thereof the figures "1970", and

Be further amended on page 1, lines 18 through 21, Section 1, subsection (b), by reinserting the deleted material: "(b) Twenty-five per cent (25%) of the net license fees derived from the registration of motor vehicles whose owners reside within the limits of any incorporated city having a population of ten thousand (10,000) or more according to the federal census of 1950.", and

Be further amended on page 1, line 21, Section 1, subsection (b), after the word "or" by striking the word "[more]" and inserting in lieu thereof the word "less", and

Be further amended on page 1, line 21, Section 1, subsection (b), after

the word "of" by deleting the figures "[1950,]" and inserting in lieu thereof the figures "1970.", and

Be further amended on page 1, after line 27, by adding a new Section 2 to read as follows: "Section 2. Section 32-3703, R.C.M., 1947, is amended to read as follows: '32-3703. Population centers—use of city road fund.'", and

Be further amended on page 2, line 3, Section 2, subsection (2) of the original bill, after the word "construction" by striking the following material: "[, repair, and maintenance]" and inserting in lieu thereof the following material: "and reconstruction", and

Be further amended on page 2, line 4, Section 2, subsection (2) of the original bill, after the word "limits" by striking the period "[.]" and inserting the following material: "; provided, however, that not more than five per cent (5%) or ten thousand dollars (\$10,000) whichever amount is greater, of the fees so paid may be expended for maintenance and repair of permanent highways and streets within the corporate limits; and provided further that none of the fees so paid may be expended for the construction or reconstruction of any permanent highways and streets within the corporate limits of any city or town without compliance with the requirements with respect to advertisement for bids in connection with letting of contracts contained in Section 11-1202, R.C.M., 1947.", and

Be further amended on page 2, line 11 of the original bill by striking the following material: "[32-3704 - - - Repealed.]" and inserting in lieu thereof the following material: "Section 3. Section 32-3704, R.C.M., 1947, is repealed."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

COX, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 455, respectfully report as follows: That House Bill No. 455 be amended

Warfield moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 10, in the title of the original bill, after the word "establishing" by striking the words "[collective bargaining]", and inserting in lieu thereof the following material "professional negotiation", and

Be further amended on page 1, line 11, in the title of the original bill, after the word "representatives", by striking the following material "[allowing school boards to employ attorneys, providing for probationary status before employment tenure begins, and permitting refusal to rehire unneeded teachers]", and

Be further amended on page 1, Section 1, after line 20, by inserting the following material "Section 2. Declaration of policy and purpose. In pursuance of the duty imposed upon it by the constitution to provide a system of free public schools and to adopt all means necessary and proper to secure to the people the advantages and opportunities of education, the legislative assembly hereby declares that it recognizes teaching as a profession which requires special educational qualifications and that to achieve high quality education it is indispensable that good relations exist between teaching personnel and their governing boards. It is, therefore, the policy of this state to recognize the rights of professional school employees to form, join, or assist professional employees' organizations to negotiate

with their governing boards regarding the terms and conditions of profession which requires special educational qualifications and that to achieve pose of establishing, maintaining, protecting and improving educational standards, and to establish procedures which will facilitate and encourage amicable settlement of disputes. It is further recognized that the authority of public school district boards of trustees is established by law and a district board of trustees has final authority for determining policies for the operation of public schools under its jurisdiction which are not inconsistent with law.”, and

Further amend subsequent sections to conform numerically, and

Be further amended on page 2, Section 3, line 6, through and including line 7, by striking the material therein in its entirety and inserting in lieu thereof the following material “(4) “Board” means any public school board of trustees;”, and

Be further amended on page 2, Section 4, line 26, after the word “a” by striking the following material “[collective bargaining]”, and inserting in lieu thereof the following material “professional negotiations”, and

Be further amended on page 3, Section 4, lines 2 and 3, after the word “a” by striking the following material “[collective bargaining] and inserting in lieu thereof the following material “professional negotiations”, and

Be further amended on page 3, Section 4, line 8, before the word “upon” by striking the word “[bargain]”, and inserting in lieu thereof the word “negotiate”, and

Be further amended on page 3, Section 4, line 9, after the word “not” by striking the word “[bargain]” and inserting in lieu thereof the word “negotiate”, and

Be further amended on page 3, Section 5, line 14, after the word “for” by striking the material “[collective bargaining]” and inserting in lieu thereof the following material “professional negotiations”, and

Be further amended on page 3, Section 5, line 25, after the word “Section” by striking the following numeral “[3]” and inserting in lieu thereof the following material “4”, and

Be further amended on page 3, Section 5, line 25, after the word “a” by striking the following material “[collective bargaining]” and inserting in lieu thereof the following material “professional negotiations”, and

Be further amended on page 3, Section 5, line 27, after the word “that” by striking the material “[collective bargaining]” and inserting in lieu thereof the following material “professional negotiation”, and

Be further amended on page 3, Section 5, line 29, after the word “if” by striking the following material “[collective bargaining]” and inserting in lieu thereof the following material “professional negotiation”, and

Be further amended on page 3, Section 5, line 30, after the word “to” by striking the following material “[collective bargaining]” and inserting in lieu thereof the following word “negotiate”, and

Be further amended on page 4, Section 5, line 4, after the word “negotiate” by striking the following material “[or bargain]”, and

Be further amended on page 4, Section 5, lines 5 through 6, after the word and punctuation “year.”, by striking the following material “[collective bargaining]”, and inserting in lieu thereof the following material “professional negotiation”, and

Be further amended on page 4, Section 5, line 8, before the word “agreement” by striking the material “[collective bargaining]” and inserting in lieu thereof the following material “professional negotiation”, and

Be further amended on page 4, Section 6, line 19, after the word "or" by striking the word "[bargain]" and inserting in lieu thereof the following word "negotiate", and

Be further amended on page 4, Section 6, line 22, after the word "section" by striking the numeral "[8]" and inserting in lieu thereof the numeral "9", and

Be further amended on page 4, Section 6, lines 22 through 23, by striking the word "[bargain]" and inserting in lieu thereof the following word "negotiate", and

Be further amended on page 4, Section 6, lines 25 through 26, after the word "a" by striking the following material "[collective bargaining]" and inserting in lieu thereof the following material "professional negotiation", and

Be further amended on page 4, Section 6, by striking subsequent subsection [(e)], and

Be further amended on page 5, Section 6, line 5, after the word "section" by striking the numeral "[3]" and inserting in lieu thereof the numeral "4", and

Be further amended on page 5, Section 6, lines 8 through 10, be deleted in its entirety, and

Be further amended that subsequent sections to conform alphabetically, and

Be further amended on page 5, Section 6, line 11, after the word "a" and before the word "agreement", line 12, by striking the following material "[collective bargaining]" and inserting in lieu thereof the following words "professional negotiation", and

Be further amended on page 5, Section 6, line 25, after the word "section" by striking the figure "[6]" and inserting in lieu thereof the figure "7", and

Be further amended on page 5, Section 6, line 28, after the word "section" by striking the figure "[8]" and inserting in lieu thereof the figure "9", and

Be further amended on page 6, Section 6, line 1, after the word "section" by striking the figure "[4]" and inserting in lieu thereof the figure "5", and

Be further amended on page 6, Section 7, line 15, after the word "the" by striking the word "[superintendent]" and inserting in lieu thereof the word "board", and

Be further amended on page 6, Section 7, line 19, after the word "the" by striking the word "[superintendent]" and inserting in lieu thereof the word "board", and

Be further amended on page 6, Section 7, line 22, after the word "The" by striking the word "[superintendent]" and inserting in lieu thereof the following word "board", and

Be further amended on page 6, Section 7, line 27, by striking the word "[superintendent]" and inserting in lieu thereof the following word "board", and

Be further amended on page 7, Section 7, line 3, after the word "the" by striking the word "[superintendent]" and inserting in lieu thereof the following word "board", and

Be further amended on page 7, Section 7, line 18, after the word "the"

by striking the word “[superintendent]” and inserting in lieu thereof the following word “board”, and

Be further amended on page 7, Section 8, lines 20 and 21, after the word “All” by striking the following material “[collective bargaining]” and inserting in lieu thereof the following material “professional negotiation”, and

Be further amended on page 7, Section 8, lines 25 and 26, after the word “a” by striking the following material “[collective bargaining]” and inserting in lieu thereof the following material “professional negotiation”, and

Be further amended on page 7, Section 9, line 28, after the new section number “9.” by striking the following material “[Collective bargaining impasse.]” and inserting in lieu thereof the following material “professional negotiation.”, and

Be further amended on page 7, Section 9, line 30, after the word “negotiation” by striking the following words “[and bargaining]”, and

Be further amended on page 7, Section 9, line 30, after the word “a” by striking the following word “[bargaining]” and inserting in lieu thereof the following word “negotiating”, and

Be further amended on page 8, Section 9, line 2, after the word “an” by striking the following words “[impasse exists]” and inserting in lieu thereof the following material “agreement cannot be reached”, and

Be further amended on page 8, Section 9, line 3, after the word “presented,” by striking the following material “[the parties may voluntarily submit]” and inserting in lieu thereof the following material “either party may notify the other in writing that it desires to present”, and

Be further amended on page 8, Section 9, line 9, after the word “panel.” by inserting in lieu thereof the following material “Each party shall select its panel member within ten (10) days after such notification.”, and

Be further amended on page 8, Section 9, line 12, after the word “of” by striking the following words “[such county]” and inserting in lieu thereof the following material “the county in which the employer is located”, and

Be further amended on page 8, Section 9, line 18, after the word “Negotiation” by striking the following words “[and bargaining]”, and

Be further amended on page 9, Section 9, lines 10 through 13, by striking the following material “[Panel members shall receive twenty dollars (\$20.00) per day and their expenses for each day actually serving upon the panel but shall receive no other compensation.]”, and

Be further amended on page 9, lines 20 through 25, by striking the following section “[Section 10. Rules. The superintendent shall have authority to make, amend and rescind such rules as may be necessary to implement Section 6 of this act. Such rules shall be effective upon (1) mailing to all employers with instructions for posting in all public schools, and (2) mailing to all representatives of teachers.]”, and

Be further amended on page 10, Section 12, line 7, after the word “section” by striking the following material “[5 (2) (d)]” and inserting in lieu thereof the following material “6 (2) (c)”, and

Be further amended on page 10, Section 12, line 8, after the word “salary” by striking the following material “[and other emoluments of employment]”, and

Be further amended on page 10, lines 10 through 12 by striking the following section “[Section 13. Planning for Bargaining Sessions Closed

to Public. Collective bargaining sessions between employers and teachers, or their representatives, shall be open to the public, but meetings of school boards wherein collective bargaining proposals are discussed prior to collective bargaining sessions shall be closed to the public.]", and

Be further amended on page 10, Section 13, line 13, after the word "for" by striking the word "[Bargaining]" and inserting in lieu thereof the following word "Negotiating", and

Be further amended on page 10, Section 13, line 14, after the word "Public." by striking the following words "[Collective bargaining]" and inserting in lieu thereof the following material "Professional negotiating", and

Be further amended on page 10, Section 13, line 15, after the word "representatives," by striking the following words "[shall]" and inserting in lieu thereof the following word "may", and

Be further amended on page 10, Section 13, line 17, after the word "wherein" by striking the following words "[collective bargaining]" and inserting in lieu thereof the following words "professional negotiating", and

Be further amended on page 10, Section 13, line 18, after the word "to" by striking the following words "[collective bargaining]" and inserting in lieu thereof the following words "professional negotiating", and

Be further amended on page 10, line 20 through page 12, line 28, by striking the material in its entirety, and

Further amend subsequent sections to conform numerically.

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

WARFIELD, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 123, respectfully report as follows: That House Bill No. 123 do not pass.

WARFIELD, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 do not pass.

WARFIELD, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Joint Resolution No. 5, respectfully report as follows: That Senate Joint Resolution No. 5 be amended

Hall moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, lines 16 through 18, by striking the material therein in its entirety and inserting in lieu thereof the following material "WHEREAS, legislation has been introduced into the United States Congress to establish that reach of the river as the Missouri Breaks Scenic Recreation River", and

"WHEREAS, the proposed legislation would preserve aesthetic and historic values by prohibiting impoundments on the wild and scenic segments of the river; would perpetuate traditional uses of the area through

administration under the Taylor Grazing Act and allowance for mining and mineral leasing; would emphasize land requisition by scenic easement and exchange and would not require mandatory purchase of inholdings; and would give the State of Montana responsibility through cooperative agreement”

And, as so amended, be concurred in.

E. SMITH, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 493, respectfully report as follows: That House Bill No. 493 do not pass.

E. SMITH, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 544, respectfully report as follows: That House Bill No. 544 do not pass.

E. SMITH, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 428, respectfully report as follows: That House Bill No. 428 be amended on page 1, Section 1, line 16, after the word “game” by striking the following material “[warden (director)]”, and inserting in lieu thereof the following word “director”

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

E. SMITH, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 453, respectfully report as follows: That House Bill No. 453 be amended

Scott moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 3, of the title of the original and reproduced bill by striking the material “[11-1814, 11-1817,]”, and

Further amend on page 1, line 10, of the title after the word “Sections” by striking the material “[11-1814, 11-1817,]”, and

Further amend on pages 1, a, and 3, by striking Section 1 and Section 2 in their entirety and renumbering the following sections, and

Further amend on page 3, Section 3, line 6, after the word “[twenty-one]” by striking the material “[eighteen (18) years]” and inserting in lieu thereof the material “voting as required by the Montana Constitution”, and

Further amend on page 3, Section 4, lines 16 and 17, after the material “[twenty-one]” by striking the material “[eighteen (18) years]” and inserting in lieu thereof the material “voting as required by the Montana Constitution”, and

Further amend on page 4, Section 5, line 4, after the material “[twenty-

one]" by striking the material "[eighteen (18) years]" and inserting in lieu thereof the material "voting as required by the Montana Constitution"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

Report adopted.

SCOTT, Chairman

February 8, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 452, respectfully report as follows: That House Bill No. 452 be amended on page 20, Section 11, line 13, of the original and reproduced bill after the material "law", by striking the material "[of the age of]"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

Report adopted.

SCOTT, Chairman

February 8, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 314, respectfully report as follows: That House Bill No. 314 be amended

Be amended on page 3, Section 1, subsection (7), line 28, of the original and reproduced bill after the word "assess" by striking the words "[or collect]" and

Further amend on page 3, Section 1, subsection (7) on lines 29 and 30, after the word "parent" by striking the material "[or other person responsible]"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

Report adopted.

SCOTT, Chairman

February 8, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 307, respectfully report as follows: That House Bill No. 307 do not pass.

SCOTT, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328 do not pass.

SWAN, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 508, respectfully report as follows: That House Bill No. 508 be amended

Be amended on page 1, in the title, line 16, after the word "transportation" by striking the remaining material, and

Be further amended on page 1, in the title, line 17 through and including line 21, by striking the material in its entirety, and

Be further amended on page 3 through and including page 7, Section 4, line 9, by striking the material in its entirety.

And, as so amended, do pass.

SWAN, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 533, respectfully report as follows: That House Bill No. 533 do not pass.

SWAN, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 20, respectfully report as follows: That Senate Joint Resolution No. 20 be concurred in.

HAINES, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 177, respectfully report as follows: That House Bill No. 177 be amended

Haines moved that the House suspend its Rules and consider the amendment read in full. Motion carried.

(1) Amend page 1 of the title of the original bill after the word and punctuation "Entitled:" through and including line 8 of the title by omitting the material therein in its entirety and inserting in lieu thereof the following words, figures and punctuation: "An act to require recording of the school district residence when registering electors; and amending Sections 23-3023 and 23-3027, R.C.M., 1947, providing for precinct registers."

(2) Further amend page 1 starting with line 12 by omitting the material therein in its entirety and inserting in lieu thereof the following new material:

Section 1. In the discretion prescribed by Section 23-3004, R.C.M., 1947, the county registrar shall record the resident school district of each person registering to vote to allow the preparation of registered elector lists for each school district of the county.

Section 2. Section 23-3023, R.C.M., 1947, is amended to read as follows:

"20-3023. Printing of list of electors shown on precinct register. (1) The registrar shall have a list printed of all registered electors shown on the precinct registers of the county[,] or city[, or first class school district] ten (10) days or more preceding any election.

(2) The list shall show the name of the elector in full, the number and street of his residence if he resides within a city, his postoffice address if he resides outside a city, and the registry number.

(3) Ten (10) days or more before any election, a copy of the list of registered voters shall be posted in each precinct. Sufficient copies of the lists shall be retained by the registrar and furnished to an elector upon request.

(4) If no declarations of nominations have been filed forty (40) days before a primary election of city offices, the city clerk shall immediately notify the registrar in writing and the list of registered electors for the city shall not be printed or posted.

(5) The list of registered voters prepared for a primary election may be posted and used for the general election only if a supplemental list giving the names of electors who have registered after the first list was prepared is printed and posted.

(6) The expense of printing this list shall be paid by the county[, or city[, or school district,] in which the election is to be held."

Section 3. Section 23-3027, R.C.M., 1947, is amended to read as follows:

"23-3027. Charges to city or school district—warrant—when no precinct registers required. (1) For each name entered on a precinct register prepared for a city or [first class] school district, the registrar shall charge the city or school district three cents (\$.03). He shall also charge the actual expense [incurred in printing and posting the lists of electors, publishing notice, and other expenses] incurred on account of the city or school district.

(2) The council or board of school trustees shall order a warrant drawn for the expenses specified in subsection (1) of this section within thirty (30) days after notification of the charges.

(3) If no general city election is required, the registrar shall not prepare precinct registers.

(4) If there are only as many candidates nominated as there are vacancies on a first class school district board of trustees, the registrar shall not prepare precinct registers.

(5) Within two (2) days after nominations are legally closed, the city clerk or clerk of a first class school district shall notify the registrar when no precinct registers are required."

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

HAINES, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 410, respectfully report as follows: That House Bill No. 410 do pass.

HAINES, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 397, respectfully report as follows: That House Bill No. 397 be amended

Haines moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, lines 8 and 9 of the title of the introduced bill by striking all of the material following the word "registration:" on line 8 and insert in lieu thereof the following new material "dates; and re-defining the period of notice.", and

Further amend on page 1, Section 1, lines 16 and 17, by striking subsection (a) in its entirety and insert in lieu thereof the following new material "(a) Close registrations as follows: (i) for thirty days before any federal election; (ii) at noon the day before election for voters entitled to register to that time; (iii) for forty days before any election other than heretoabove provided.", and

Further amend on page 1, Section 1, subsection (c), line 21, by striking the following material "[Twenty (20) days before the closing]" and insert in lieu thereof the following new material "sixty (60) days before the election", and

Further amend on page 1, Section 1, subsection (c), line 23, by making the word "registration" plural.

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

HAINES, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 398, respectfully report as follows: That House Bill No. 398 be amended

Haines moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 8, of the title of the introduced bill, following the word "to" by striking the word "[nineteen]" and insert in lieu thereof the following new material "The minimum age for voting prescribed by the Constitution of the State of Montana", and

Further amend on page 1, Section 1, line 26, following "[twenty-one (21)]" by striking the following material "[nineteen (19) years of age]" and inserting in lieu thereof the following new material "of the minimum age for voting and prescribed by the Constitution of the State of Montana", and

Further amend on page 1, Section 1, line 30, by striking the following material "[must have resided in the state one (1) year and]" and insert in lieu thereof the following new material "has met the residence requirements for voting provided in the Constitution of the State of Montana and has resided"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

HAINES, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 596, respectfully report as follows: That House Bill No. 596 be amended on page 1, line 8 of the title of the introduced bill, following the word "offices" insert the following new material "; and providing an effective date"

And, as so amended, do pass.

HAINES, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 273, respectfully report as follows: That House Bill No. 273 be amended

Keller moved that the House suspend its Rules and consider the amendment read in full. Motion carried.

Be amended on page 1, of the title of the introduced bill, line 13, after the word and punctuation "Osteopathy," and before the word "expanding" on line 14 by striking the material therein in its entirety.

And further amend page 5, Section 2, line 16, after the word "of" by striking the material "[six (6)]" and inserting in lieu thereof "[seven (7)] six (6)"

And further amend page 5, Section 2, lines 19, 20, and 21, after the words "licensed and" on line 19 and before the word "shall" on line 21 by striking the material therein in its entirety.

And further amend page 5, Section 2, line 22, after the word and punctuation "years," and before the word "not" on line 25 by striking the material therein in its entirety.

And further amend page 6, Section 2, lines 1 through 7, before the word "All" on line 7 by striking the material in its entirety and inserting in lieu thereof the following new material "After the effective date of this act the governor shall appoint a person, who holds the degree of doctor of osteopathy and is licensed under this act, to the vacancy which occurs on the board after July 1, 1972; and the five (5) year requirement of practice and residency shall be waived for this initial appointment. However if no person holding the degree of doctor of osteopathy is licensed under this act as of July 1, 1972, then a person holding the degree of doctor of medicine shall be appointed, and a person holding the degree of doctor of osteopathy shall be appointed to the board as soon as such a person becomes licensed under this act, is willing to serve, and a subsequent vacancy occurs."

And further amend page 6, Section 3, line 29, after the word "Section" and before the word "in" on line 30 by deleting the material therein in its entirety and inserting in lieu thereof the following new material "66-1012, R.C.M., 1947,"

And further amend page 7, Section 3, line 1, after the word and punctuation "experience," through and including line 10 by striking the material therein in its entirety.

And further amend page 9, Section 4, line 2, after the word "given" by striking the words "[and graded]"

And further amend page 10, Sections 8 and 9, lines 13 through 21 by striking the material therein in its entirety.

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

KELLER, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your majority Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 357, respectfully report as follows: That House Bill No. 357 do not pass.

KELLER, Chairman

ASBJORNSON

BROWN

FITZGARRALD

OLSON

LIEN

YARDLEY

ZODY

February 7, 1971

Mr. Speaker: We, your minority Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 357, respectfully report as follows: That House Bill No. 357 do pass.

LEE

NORMAN

Keller moved for the adoption of the majority committee report.

As a substitute motion, Lee moved that House Bill No. 357 do pass, that it be printed and placed on Second Reading and asked that the Ayes and Nays be spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Baeth, Bardanouve, Christiansen, Devine, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Kendall, Kosena, Lee, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, Norman, Quilici, Robbins, Schoonover, Selstad, Shelden, Snortland, Staigmiller, Sverdsten, Swanberg, Towe. Total 33.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Jackson, Johnston, Keller, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, McNamer, Marbut, Marks, Mather, J. E. Murphy, Nichols, Olson, Parrish, Patrick, Nelstead, Prevost, Scott, C. M. Smith, E. B. Smith, Spilde, Swan, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 63.

Absent or not voting: Brand, Lundgren, T. L. Murphy, Perry, Watt, Zimmer. Total 6.

Excused: Edland, Eggebrecht. Total 2.

Majority report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 235, respectfully report as follows: That House Bill No. 235 without recommendation.

KELLER, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 304, respectfully report as follows: That House Bill No. 304 do not pass.

KELLER, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Legislative Modernization, having had under consideration House Joint Resolution No. 26, respectfully report as follows: That House Joint Resolution No. 26 be amended

Darrow moved that the House suspend its Rules and consider the amendment read in full. Motion carried.

Be amended on page 2, line 23, of the printed bill, after the word "of" by striking the words "[unlimited length]" and inserting in lieu thereof the following material: "not more than 120 legislative days without limitation of time of recess", and

Be further amended on page 2, line 24, of the printed bill, after the word "and" at the beginning of the line, by inserting the following material: "to meet", and

Be further amended on page 3, line 1, of the printed bill after the word "session," by striking the following material: "[but not limit the

agenda of the special session]" and inserting in lieu thereof the following material: "but that the legislature determine its own agenda",

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

DARROW, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Legislative Modernization, having had under consideration House Bill No. 524, respectfully report as follows: That House Bill No. 524 be amended

Darrow moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended in the title on page 1, line 8, of the printed bill, after the word "council" by adding the following material: "; and providing an effective date", and

Be further amended in Section 2, on page 3, line 6, of the printed bill before the word "committees" by striking the word "[its]" and inserting in lieu thereof the word "interim", and

Be further amended in Section 2, on page 3, line 8, of the printed bill after the word "for" by striking the word "[compensation]" and inserting in lieu thereof the word "expenses", and

Be further amended in Section 2, page 3, line 11, of the printed bill, after the word "receive" by striking the following material: "[nine cents (9¢)]" and inserting in lieu thereof the following material: "ten cents (10¢)", and

Be further amended in Section 2, page 3, line 12 of the printed bill, after the words "of the" by striking the word "[council]", and

Be further amended in Section 2, page 3, on line 13 of the printed bill, after the word "route." by striking the following material: "[The members of the council shall also receive actual and necessary expenses incurred in the discharge of their duties including attendance at meetings, hearings, and conferences not to exceed fifteen dollars (\$15.00) per day.]", and

Be further amended in Section 3, page 3, line 21, of the printed bill, after the word "organize" by striking the following material: "[within thirty (30) days after]" and inserting in lieu thereof the following material: "prior to",

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

DARROW, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Legislative Modernization, having had under consideration House Bill No. 528, respectfully report as follows: That House Bill No. 528 be amended

Darrow moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended in Section 1, subsection (1), page 1, line 17, of the printed bill, after the word "and" by striking the following material: "[nine cents (9¢)] and inserting in lieu thereof the following material: "ten cents (10¢)]", and

Be further amended in Section 1, subsection (2), page 1, line 20, of

the printed bill, after the word "receive" by striking the following material: "[fifteen dollars (\$15.00)]" and inserting in lieu thereof the following material: "twenty-five dollars (\$25.00)", and

Be further amended in Section 1, subsection (3), page, line 27, of the printed bill, after the word "of" by striking the following material: "[nine cents (9¢)]" and inserting in lieu thereof the following material: "ten cents (10¢)",

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

DARROW, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Legislative Modernization, having had under consideration House Bill No. 529, respectfully report as follows: That House Bill No. 529 be amended

Darrow moved that the House suspend its Rules and consider the amendment read in full. Motion carried.

Be amended in the title on page 1, line 5, of the printed bill, after the word "month" by striking the word "[compensation]", and

Be further amended in the title on page 1, line 6, of the printed bill, after the word "incurred" by striking the following material: "[for maintaining the office of the legislator]" and inserting the following material: "in the performance of legislative duties", and

Be further amended in the title on page 1, line 8, of the printed bill, after the word "session" by inserting the following material: "; and providing an effective date", and

Be further amended in Section 1, page 2, line 6, of the printed bill, after the word "incurred" by striking the following material: "[for maintaining the office of legislator. The compensation provided herein shall be only for legislative expenses.]" and inserting the following material: "in the performance of legislative duties for each full month the legislature is in session.", and

Be further amended after Section 2, page 2, following line 20, of the printed bill by adding a new Section 3 to read as follows: "Section 3. This act shall be effective upon passage and approval.",

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

DARROW, Chairman

Report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 23, respectfully report as follows: That House Joint Resolution No. 23 do pass.

WARFIELD, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 443, respectfully report as follows: That House Bill No. 443 be amended

Be amended on page 4, Section 5, line 2, after the word and punctuation "hours." by inserting the following new material "The filing of right of way plans by the Montana State Highway Commission pursuant to Section

32-2413, Revised Codes of Montana, as amended, will be deemed to constitute compliance with the intent of this act. The Montana State Highway Commission will make reproductions of such right of way plans available at reasonable cost.", and

Amend page 2, line 28, after the word Section by striking the figure "1" and inserting the figure "2"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

Report adopted.

WORDEN, Chairman

February 8, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 429, respectfully report as follows: That House Bill No. 429 do pass.

Report adopted.

WORDEN, Chairman

February 8, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 119, respectfully report as follows: That House Bill No. 119 do pass.

Report adopted.

WORDEN, Chairman

February 8, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 456, respectfully report as follows: That House Bill No. 456 do not pass.

Report adopted.

WORDEN, Chairman

February 8, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 557, respectfully report as follows: That House Bill No. 557 do not pass.

Report adopted.

WORDEN, Chairman

February 8, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 277, respectfully report as follows: That House Bill No. 277 do not pass.

Report adopted.

WORDEN, Chairman

February 7, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 431, respectfully report as follows: That House Bill No. 431 do pass.

Report adopted.

WORDEN, Chairman

February 7, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 430, respectfully report as follows: That House Bill No. 430 do pass.

Report adopted.

WORDEN, Chairman

February 7, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 432, respectfully report as follows: That House Bill No. 432 do pass.

WORDEN, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 534, respectfully report as follows: That House Bill No. 534 do not pass.

WORDEN, Chairman

Worden moved for adoption of the committee report.

As a substitute motion Christiansen moved that House Bill No. 534 do pass and be printed and placed on Second Reading.

Haines moved the previous question.

Hall requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Baeth, Bardanouve, Bradley, Brand, Christiansen, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Hodges, Johnston, Kendall, Lien, McKittrick, T. L. Murphy, Norman, Prevost, Schoonover, Shelden, Staig-miller, Swanberg, Towe, Warfield, Weeding, Yardley, Zimmer, Zody. Total 29.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Keller, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, Nichols, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Scott, Selstad, C. M. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 69.

Absent or not voting: Kosena, Perry, E. B. Smith, Watt. Total 4

Excused: Edland, Eggebrecht. Total 2.

Committee report adopted.

February 7, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 423, respectfully report as follows: That House Bill No. 423 be amended

Be amended on page 10, line 18, after the figures and punctuation "1947." by inserting the following new material: "Section 11. Nothing in this act shall be construed as placing any restriction upon public libraries as to material which may be displayed or circulated in ways which, in the opinion of the head librarian and the library board of directors, do not constitute acts harmful to minors."

And further amend page 10, Section 11, line 19, following the word "Section" by striking the figure "[11]" and inserting in lieu thereof the following new figure "12"

And further amend page 10, Section 12, line 27, following the word

"Section" by striking the figure "[12]" and inserting in lieu thereof the following new figure "13"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

KELLER, Chairman

Keller moved for adoption of the committee report.

As a substitute motion, Hall moved that House Bill No. 423 be referred to Committee on Judiciary for consideration. Motion carried.

The Speaker signed in open session the following bill: Senate Bill No. 63.

February 6, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 33, respectfully report as follows: That House Bill No. 33 do not pass.

LUNDGREN, Chairman

Lundgren moved for adoption of the committee report.

As a substitute motion, Scott moved that House Bill No. 33 be printed and placed on Second Reading, and asked that the Ayes and Nays be spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Aber, Baeth, Bardanouve, Bradley, Brown, Christiansen, Cox, Darrow, Devine, Fagg, Fasbender, Fleming, Forester, Gerke, Greely, Gunderson, Hall, Harrison, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Lund, McKittrick, McNamer, Marbut, Mehrens, Menahan, T. L. Murphy, Norman, Parrish, Prevost, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 48.

Noes: Anderson, Asbjornson, Aspevig, Bennett, Brand, Burnett, Campbell, Clemow, Dye, East, Ellerd, Falkenstern, Fitzgarrald, Giesick, Glennen, Harper, Healy, Hemstad, Himsl, Jackson, Keller, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, Marks, Mather, J. E. Murphy, Nichols, Olson, Patrick, Nelstead, Quilici, Selstad, C. M. Smith, E. B. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf, Mr. Speaker. Total 49.

Absent or not voting: Ainsworth, Haines, Kvaalen, Lien, Perry. Total 5.

Excused: Edland, Eggebrecht. Total 2.

Thereupon, the committee report was adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 507, respectfully report as follows: That House Bill No. 507 do not pass.

LUNDGREN, Chairman

Lundgren moved for adoption of the committee report.

As a substitute motion, Towe moved that House Bill No. 507 be printed and placed on Second Reading.

Hall made a motion for all motions pending that House Bill No. 507 be laid on the table until the thirty-eighth legislative day. Motion carried.

Without objection, the House was on Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Cox moved that House Bill No. 501 be taken from Printing and be referred to Committee on Affairs of Cities. Motion carried.

REPORTS OF STANDING COMMITTEES

February 8, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 501, respectfully report as follows: That House Bill No. 501 be amended

Cox moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1 of the title of the bill, after the word "underground" on line 6, through and including line 7, by striking the material therein in its entirety and inserting in lieu thereof the following new material "locations by special improvement districts."

And be further amended on page 1, line 11, through and including page 10, line 12, by striking the material therein in its entirety and inserting in lieu thereof the following material: "Section 1. Short title. This act shall be known and cited as the "Underground Conversion of Utilities Law".

Section 2. Legislative purpose. The Legislature finds that in many areas of the state, landowners, cities, towns, counties, rural electric co-operatives and public utilities desire to convert existing overhead electric and communication facilities to underground locations by means of special improvement district proceedings. The legislature hereby declares that a public purpose will be served by providing a procedure to accomplish such conversion and that it is in the public interest to provide for such conversion by proceedings taken pursuant to this chapter, whether such areas be within the limits of a city or town or within a county.

Section 3. Definitions. As used in this chapter, the following words and phrases and any variations thereof shall have the following meaning:

"Communication service" means the transmission of intelligence by electrical means, including, but not limited to, telephone, telegraph, messenger-call, clock, police, fire alarm and traffic control circuits or the transmission of standard television or radio signals.

"Electrical service" means the distribution of electricity for heat, light or power.

"Convert" or "conversion" means the removal of all or any part of any existing overhead electric or communications facilities and the replacement thereof with underground electric or communication facilities constructed at the same or different locations.

"Electric or communication facilities" means any works or improvements used or useful in providing electric or communication service, including, but not limited to, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cut-outs, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances. "Electric facilities" shall not include any facilities used or intended to be used for the transmission of electric energy at nominal voltages in excess of twenty-five thousand (25,000) volts.

"Overhead electric or communication facilities" means electric or communication facilities located, in whole or in part, above the surface of the ground.

"Underground electric or communication facilities" means electric or communication facilities located, in whole or in part, beneath the surface of the ground.

"Public utility" means any public or private person, corporation or cooperative that provides electric or communication service to the public by means of electric or communication facilities and shall include any special improvement district that provides electric or communication service to the public by means of electric or communication facilities.

"Governing body" means the board of county commissioners or city council, as may be appropriate, depending on whether the special improvement district is located in a county or within a city or town.

"Ordinance" means resolution where the governing body properly acts by resolution and vice versa.

Section 4. Powers conferred. The governing body of every county is hereby authorized and empowered to create special improvement districts under this chapter within the unincorporated portion of such county, and the governing body of every city and town is hereby authorized and empowered to create special improvement districts under this chapter within its territorial limits. Said special improvement districts shall provide for the conversion of existing overhead electrical and communication facilities to underground locations and the construction, reconstruction or relocation of any other electric or communication facilities which may be incidental thereto, pursuant to the provisions of this chapter; provided, however, that any such special improvement district shall include an area having a frontage of not less than one thousand (1,000) feet upon a public street, road, highway or utilities easement along which overhead electric or communication facilities are located.

Section 5. Basis of assessments. Whenever any improvement authorized to be made by any governing body by the terms of this chapter is ordered, the governing body shall provide for the apportionment of the cost and expenses thereof as in their judgment may be fair and equitable in consideration of the benefits accruing to the abutting, adjoining, contiguous and adjacent lots and land and to the lots and lands otherwise benefited and included within the special improvement district formed. Each lot and parcel of land shall be separately assessed for the cost and expenses thereof in proportion to the number of square feet of such lands and lots abutting, adjoining, contiguous and adjacent thereto or included in the special improvement district, and in proportion to the benefits derived to such property by said improvements. The entire cost of the improvements may be assessed against the benefited property as herein provided, or if money for paying part of such cost is available from any other source, the money so available may be so applied and the remaining cost so assessed against the benefited property. The cost and expenses to be assessed, as herein provided for, shall include the cost of improvement, engineering, and clerical service, advertising, cost of inspection, cost of collecting assessments, cost of easements, and interest upon bonds, if issued, and for legal services for preparing proceedings and advising in regard thereto. Fee lands and property of the state or federal government shall not be considered as lands or property benefited by any improvement district and shall not be subject to assessment for the payment of any of the cost or expense of such improvement.

Section 6. Resolution for cost and feasibility study. Any governing body may, on its own initiative or upon a petition signed by at least sixty percent (60%) of the property owners owning at least sixty percent (60%) of the assessable lands of any proposed district requesting the creation of a special improvement district, as provided for in this chapter, pass a resolution at any regular or special meeting declaring that it finds that the special improvement district is in the public interest. The governing body shall make a finding that the formation of the special improvement

district, for the purposes set out in this chapter, will promote the public convenience, necessity and welfare. The resolution shall state that the costs and expenses will be levied and assessed upon the property benefited and further request that each public utility serving such area by overhead electric or communication facilities shall, within one hundred twenty (120) days after the receipt of the resolution, make a study of the cost of conversion of its facilities in such area to underground service. The report of said study shall be provided to the governing body and made available for inspection in the office of the governing body and each public utility. The resolution of the governing body shall require that each public utility be provided with the name and address of the owner of each parcel or lot within the proposed improvement district, if known, and if not known, the description of the property and such other matters as may be required by the public utilities in order to perform the work involved in the cost study. The resolution shall further state the area in square feet of each lot or parcel within the proposed conversion service area.

Section 7. Costs and feasibility report. The public utility report shall set forth an estimate of the total underground conversion costs and shall also indicate the costs of underground conversion of facilities of the public utility located within the boundaries of the various parcels or lots then receiving service. The report shall also contain the public utility's recommendations concerning the feasibility of the project for the district proposed insofar as the physical characteristics of the district are concerned. The report shall make recommendations by the public utility concerning inclusion or exclusion of areas within the district or immediately adjacent to the district. The governing body shall give careful consideration to the public utility's recommendations concerning feasibility, recognizing their expertise in this area, and may amend the boundaries of the proposed improvement district, provided that the costs and feasibility report of the public utility contains a cost figure on the district as amended, or it may request a new cost and feasibility report from the public utility concerned on the basis of the amended district. Should a delay result in a significant increase of the estimated conversion costs, new hearings shall be held on the creation of the district. In the event an increase of ten percent (10%) or less results from delay, only the hearing on the assessments need be held again.

Section 8. Resolution declaring intention to create district. On the filing with the clerk of any governing body of the cost and feasibility report by the public utility, as hereinbefore provided, and after considering the same, the governing body may, at any regular or special meeting, pass a resolution declaring its intention to create a special improvement district. The resolution shall state that the costs and expenses of the district created are, except as otherwise provided for, to be levied and assessed upon the abutting, adjoining, and adjacent lots and land along or upon which improvements are to be made, and upon lots and lands benefited by such improvements and included in the special improvement district created; that it is the intention of the governing body to make such improvement which will promote public convenience, necessity and welfare; and shall further state the area and boundaries of the proposed improvement district, the character of the proposed improvement, the estimated total cost of the same, and the intention of the governing body to hold a hearing on the proposed improvement.

Section 9. Contents of notice of resolution and hearing on protests. Following the passage of the resolution in Section 8, the governing body shall cause notice of the resolution and a hearing on any protests to the proposed improvement to be given in the manner provided in Section 10. Such notice shall: (1) Declare that the governing body has passed a resolution of intention to create a special improvement district. (2) Describe the boundaries or area of the district with sufficient particularity to permit each owner of real property therein to ascertain that his property lies in the district. (3) Describe in a general way the proposed improvement,

specifying the streets or property along which it will be made and the nature of the benefits to the property within the district. (4) State the estimated cost as determined from the cost and feasibility report, and the estimated cost of engineering, clerical service, easements, advertising, inspection, collection of assessments, interest upon bonds, and legal services for preparing proceedings and advising in regard thereto, if applicable. (5) State that it is proposed to assess the real property in the district to pay all of the cost of the improvement according to the square footage of and the benefits to be derived by each tract, block, lot and parcel of land within the district. (6) State the time and place at which the governing body will hear and pass upon all protests that may be made against the making of such improvements, or the creation of such district or the benefits to be derived by the real property in the district. (7) State that all property owners liable to be assessed for such work and desiring to make a protest may submit, in writing, such protest to the governing body by a specified date not less than fifteen (15) days from the first day of publication of such notice.

Section 10. Notice of public hearing on proposed improvement. Notice shall be published in full five (5) times in a daily newspaper or once in a weekly newspaper of general circulation in the county, city or town in which said district is located. A copy of such notice shall be mailed by the governing body to each owner of land within the proposed district whose property will be assessed for the cost of the improvement. The address to be used for said purpose shall be that last appearing on the real property assessment rolls of the county wherein said property is located. Mailed notices and the published notice shall state where a copy of the resolution will be available for inspection by any interested parties.

Section 11. Protests against proposed work and areas to be included in the district. At any time within the time specified in the notice, any owner of property liable to be assessed for said work may make written protest against the making of such improvements, or the creation of such district or the benefits to be derived by the real property in the district. Protests in writing must be delivered to the clerk of the governing body not later than 5:00 p.m., of the last day within said period, and said clerk shall endorse thereon the date and hour of its receipt by him.

Section 12. Public hearing on creation of special improvement district. At the time and place specified in the notice, the governing body shall meet and shall proceed to hear and pass upon all protests. Such hearing may be adjourned from time to time to a fixed future time and place. If at any time during the hearings it shall appear to the governing body that changes in the proposed improvements or the proposed district should be made which, after consultation with the public utility concerned, appear to affect either the cost or feasibility of the improvement, the hearing shall be adjourned to a fixed time and place and a new cost and feasibility report prepared on the basis of the contemplated changes. If additional areas are added, notice and an opportunity to protest shall again be given on the basis of such changes.

If the protests against the making of the improvement are received from more than forty percent (40%) of the property owners owning more than forty percent (40%) of the property in the proposed special improvement district, the district and project shall be abandoned. The same or any substantially similar special improvement district may not be renewed at any time within one (1) year. In determining whether or not sufficient protests have been filed to prevent further proceedings, property owned by a county, city or town shall be considered to the same effect as other property in the district.

The governing body shall, after considering matters brought forth at the hearing, either abandon the district and project or adopt an ordinance establishing the district and authorizing the project. Such ordinance shall be published in the manner provided in Section 10, but need not be mailed.

If an ordinance be adopted establishing the district, such ordinance shall finally and conclusively establish the regular organization of the district against all persons, unless an action attacking the validity of the organization shall be commenced in a court of competent jurisdiction within thirty (30) days after the adoption of such ordinance. Such action shall be subject to the provisions of Section 13. Thereafter, any such action shall be perpetually barred and the organization of said district shall not be directly or collaterally questioned in any suit, action or proceedings.

Section 13. Waiver of objections. Every person who has real property within the boundaries of the district and who fails to submit a written protest in accordance with Section 11, or appear and give testimony at the public hearing, shall be deemed to have waived any objections to the creation of the district, the making of the improvements and the inclusion of his property within the district. Such waivers shall not, however, preclude his right to object to the amount of the assessment at the hearing for which provision is made in Section 17.

Section 14. Proposed assessment list. Following creation of the special improvement district, the governing body shall cause to be prepared an assessment list detailing the total amount to be assessed, the specific properties assessed, and the amount of assessment on each piece of property.

Section 15. Proposed assessments ordinance. After the preparation of the proposed assessment list, the governing body shall cause to be prepared for adoption at the hearing hereinafter provided for, an ordinance declaring the entire cost of the improvement, including the cost of construction as determined from Section 26, and all legal and fiscal fees and costs, the cost of the publication of notices and all other costs properly incident to the construction of the improvement and the financing thereof. Such ordinance shall specify what share, if any, of the total cost is payable from sources other than the imposition of assessments and shall incorporate the proposed assessment list provided for in Section 14. Such ordinance shall specify the terms of installment payments, if said improvement is to be financed over a period of time.

Section 16. Notice of public hearing on proposed assessments. After the preparation of the aforesaid ordinance, notice of a public hearing on the proposed assessments shall be given. Such notice shall be published one (1) time in a newspaper in which the first notice of hearing was published at least twenty (20) days before the date fixed for the hearing and shall be mailed by the governing body not less than fifteen (15) days prior to the date fixed for such hearing to each owner of real property whose property will be assessed for part of the cost of the improvement at the addresses appearing on the last completed real property assessment rolls of the county wherein said affected property is located.

1. Each notice shall state that at the specified time and place, the governing body will hold a public hearing upon the proposed assessments and shall state that any owner of any property to be assessed pursuant to the ordinance will be heard on the question of whether his property will be benefited by the proposed improvement to the amount of the proposed assessment against his property and whether the amount assessed against his property constitutes more than his proper proportional share of the total cost of the improvement.

2. The notice shall further state where a copy of the ordinance proposed to be adopted levying the assessments against all real property in the district will be on file for public inspection, and that, subject to such changes and corrections therein as may be made by the governing body, it is proposed to adopt the ordinance at the conclusion of the hearing.

3. The published notice shall describe the boundaries or area of the district with sufficient particularity to permit each owner of real property

therein to ascertain that his property lies in the district. The mailed notice may refer to the district by name and date of creation and shall state the amount of the assessment proposed to be levied against the real property of the person to whom the notice is mailed and the terms of installment financing, if any. In the absence of fraud, the failure to mail any notice does not invalidate any assessment or any proceeding under this chapter.

Section 17. Public hearing on proposed assessment ordinance. On the date and at the time and place specified in the aforementioned notice, the governing body shall, in open and public session, hear all arguments relating to the benefits accruing to any tract, block, lot or parcel of land therein and the amounts proposed to be assessed against any such tract, block, lot or parcel. The hearing may be adjourned from time to time to a fixed future time and place. After the hearing has been concluded and all persons desiring to be heard have been heard, the governing body shall consider the arguments presented and shall make such corrections in the assessment list as may be considered just and equitable. Such corrections may eliminate, may increase, or may decrease the amount of the assessment proposed to be levied against any piece of property. However, no increase of any proposed assessment shall be valid unless the owner of the property is given notice and an opportunity to be heard. After such corrections have been made, the governing body shall make a specific finding that no proposed assessment on the corrected assessment list exceeds the benefit to be derived from the improvement by the piece of property to be so assessed and that no piece of property so listed will bear more than its proper proportionate share of the cost of such improvement.

Section 18. Adoption of the assessment ordinance. After the public hearing has been concluded and all corrections made to the assessment list, the governing body shall proceed to adopt the assessment ordinance. The adoption of such ordinance shall be prima facie evidence of the fact that the property assessed is benefited in the amount of the assessments, and that such assessments have been lawfully levied.

Section 19. Payment of assessment. All assessments shall be due and payable within thirty (30) days after the final publication of the assessing ordinance without demand; provided, that all such assessments may be paid, at the election of the owner, in installments, with interest, as provided in Section 20.

Section 20. Installment payments. Failure to pay the whole assessment within said period of thirty (30) days shall be conclusively considered and held to be an election on the part of all persons interested, whether under disability or otherwise, to pay in installments. In case of such election, the assessment shall be payable at such times as is provided by the governing body, not to exceed twenty (20) years, and shall bear interest in all cases on the unpaid principal at the rate not exceeding eight percent (8%) per annum. The number of installments, the time of payments, and the rate of interest shall be determined by the governing body and set forth in the assessing ordinance.

Section 21. Collection of installments—failure to pay installments. Installments shall be collected in the manner and at the time prescribed. When one (1) payment becomes delinquent, all payments shall, at the option of the governing body by appropriate resolutions duly adopted, become delinquent. Delinquent installments shall be subject to the same interest and penalties as are now or hereafter provided for delinquent taxes by the laws of the State of Montana, and property subject to delinquent installments shall be sold as other property is sold for taxes.

Section 22. Assessment lien. All assessments made in pursuance of this chapter, together with all interest thereon and penalties for default in payment thereof, and all costs in collecting the same, shall constitute, from the date of the final publication of the assessing ordinance, a lien

in the several amounts assessed against each lot or tract of land, and shall have priority over all other liens excepting general tax liens. No sale of property for the nonpayment of taxes or other special assessments shall extinguish the lien of other than the taxes or special assessments for the nonpayment of which such sale is had.

Section 23. Advance payment of assessment installations. The governing body may, in the ordinance levying the assessments, provide that all unpaid installments of assessments levied against any piece of property may (but only in their entirety) be paid prior to the dates on which they become due, if the property owner paying such installments pays all interest which would accrue thereon to the next succeeding date on which interest is payable on the bonds issued in anticipation of the collection of the assessments. In addition, the property owner must pay such additional amount of interest as in the opinion of the governing body is necessary to assure the availability of money fully sufficient to pay interest on the bonds as interest becomes due, and any redemption premiums which may become payable on the bonds in order to retire, in advance of maturity, bonds in a sufficient amount to utilize the assessments thus paid in advance. If no bonds have been issued, then all unpaid installments of assessments levied against any piece of property may be paid in their entirety prior to the date upon which they become due by paying the principal amount due and the interest accrued thereon to the date of payment.

Section 24. Issuance of bonds. After the expiration of thirty (30) days from the date of the adoption of the ordinance levying the assessments, the governing body may issue negotiable interest-bearing bonds in a principal amount not exceeding the unpaid balance of the assessments levied. The bonds shall bear interest at not exceeding eight percent (8%) per annum, payable as specified by the governing body over a period not exceeding twenty (20) years. The bonds shall be of such form and denomination and shall be payable in principal and interest at such times and place, and shall be sold, authorized and issued in such manner as the governing body may determine. The bonds shall be dated no earlier than the date on which the special assessment shall begin to bear interest, and shall be secured by and payable from the levy and collection of the special assessments in anticipation of the collection of which they are issued. Any premium received on the sale of the bonds may be applied as other bond proceeds, or if not so applied, the same shall be placed in the fund for the payment of principal of and interest on the bonds.

The bonds shall be signed by a member of the governing body designated by the governing body and shall be countersigned by the appropriate treasurer with the corporate seal thereto affixed as appropriate and attested to by the clerk of the governing body. Interest may be evidenced by interest coupons attached to such bonds and signed by a facsimile signature of one of the individuals who signed the bond.

Section 25. No special assessment levied under this chapter shall be declared void, nor shall any such assessment or part thereof be set aside in consequence of any error or irregularity permitted or appearing in any of the proceedings under this chapter, but any party feeling aggrieved by any such special assessment or proceeding may bring a civil action to cause such grievance to be adjudicated if such action is commenced prior to the expiration of the period specified in this section. The burden of proof to show that such special assessment or part thereof is invalid, inequitable or unjust shall rest upon the party who brings such suit. Every person whose property is subject to such special assessment and who fails to appear during the public hearings on said assessments to raise his objection to such tax shall be deemed to have waived all objections to such levy except the objections that the governing body lacks jurisdiction to levy such tax.

For a period of thirty (30) days after the governing body has adopted

the assessment ordinance, any taxpayer in the district shall have the right to institute litigation for the purpose of questioning or attacking the proceedings pursuant to which the assessments have been authorized. Whenever any ordinance authorizing the issuance of any bonds pursuant to the improvement contemplated shall have been adopted, such ordinance shall be published once in a newspaper in which the original notice of hearing was published. For a period of thirty (30) days thereafter, any person whose property shall have been assessed and any taxpayer in the district shall have the right to institute litigation for the purpose of questioning or attacking the legality of such bonds. After the expiration of such thirty (30) day period, all proceedings theretofore had by the governing body, the bonds to be issued pursuant thereto, and the special assessments from which such bonds are to be paid, shall become incontestable, and no suit attacking or questioning the legality thereof may be instituted in this state, and no court shall have the authority to inquire into such matters.

Section 26. Conversion costs. In determining the conversion costs included in the cost and feasibility report required by Section 7, the public utility shall be entitled to amounts sufficient to repay them for the following, as computed and reflected by the uniform system of accounts approved by the Montana Public Service Commission, Federal Communications Commission, or Federal Power Commission, or in the event the public utility is not subject to regulation by any of the above governmental agencies, by the public utility's system of accounts then in use and in accordance with standard accounting procedures of said public utility.

1. The original costs less depreciation taken of the existing overhead electric and communication facilities to be removed.

2. The estimated costs of removing such overhead electric and communication facilities, less the salvage value of the facilities removed.

3. If the estimated cost of constructing new underground facilities exceeds the estimated cost of constructing new aerial facilities, then the cost difference between the two.

4. The cost of obtaining new easements when technical consideration make it reasonably necessary to utilize easements for the underground facilities different from those used for above ground facilities, or where the pre-existing easements are insufficient for the underground facilities.

Section 27. Maintenance, construction and title to converted facilities. The public utility shall have the duty to maintain, repair, and replace all underground facilities installed pursuant to this act. There shall be no competitive bidding as to the construction of the converted facilities since existing facilities are owned, maintained, and operated by the public utility and the continuity of service of the utility is essential, both of which make construction work by third persons impracticable. Therefore, the public utility concerned shall be responsible for the accomplishment of all construction work and may contract out such of the construction work as it deems desirable. Title to the converted facilities shall be at all times solely and exclusively in the public utility involved, as the public is only purchasing the intangible benefits which come from converted facilities; that is, the removal of the overhead facilities and replacement by underground facilities.

Section 28. Upon completion of the conversion of the overhead electric or communication facilities on public lands and right of way to underground, the public utility shall file a verified statement of the costs of such conversion with the governing body. The governing body shall mail to each landowner a notice stating that:

1. Service from the underground facilities is available;

2. The landowner has sixty (60) days after the date of the mailing of such notice to convert all overhead electric or communication facilities

providing service to any structure or improvement located on his lot or parcel to underground service facilities; and

3. After the sixty (60) day period following the date of the mailing of the notice, the governing body will order the public utility to disconnect and remove all overhead electric and communication facilities providing service to any structure or improvement within the area.

Section 29. 1. Any conversion of electric or communication service facilities, including service connections, located on a privately owned lot or parcel shall be made at the expense of the landowner by the public utility owning the facility. The conversion shall be made in accordance with applicable safety rules, codes, regulations, tariffs or ordinances. The public utility shall not be required to convert service lines on property, other than public lands and right of way, until the landowner furnishes to the public utility a permit or easement authorizing the public utility and its employees, agents and contractors to enter upon real property of the landowner for the purpose of performing conversion work thereon.

2. Upon completion of the conversion of overhead electric or communication service facilities on privately owned lots and parcels within a district, the public utility shall file with the governing body a verified statement of the costs of the conversion of such service facilities of each landowner in the district. Promptly thereafter, the governing body shall mail to each landowner a copy of such verified statement, which shall be due and payable within thirty (30) days or as otherwise provided by the public utility.

Section 30. If the owner of any structure or improvement served from the overhead electric or communication service facilities within an underground assessment district does not grant the utility a permit or easement referred to in Section 29 of this chapter, or if such an owner fails to convert to underground service facilities within sixty (60) days after the mailing to him of the notice provided by Section 28 of this chapter, the governing body shall order the public utility to complete the conversion and to disconnect and remove all overhead facilities, including service facilities, providing service to such structure or improvement.

Section 31. Payment of public utility. Upon completion of the conversion contemplated by this chapter, the public utility shall present the governing body with its verified bill for conversion costs as computed pursuant to Section 26, but based upon the actual cost of constructing the underground facility rather than the estimated cost of the facility. In the event the conversion costs are less than the estimated conversion costs, each assessed owner within the improvement district shall receive the benefit, prorated in such form and at such time or times as the governing body may determine. The bill of the public utility shall be paid within thirty (30) days by the governing body from the improvement district funds or such other source as is properly designated by the governing body. In determining the actual cost of constructing the underground facility, the public utility shall use its standard accounting procedures, such as the uniform system of accounts as defined by the Federal Communications Commission, Federal Power Commission, or Montana Public Service Commission, and as is in use at the time of the conversion by the public utility involved.

Section 32. Reinstallation of overhead facilities not permitted. Once removed, no overhead electric or communication facilities shall be installed in a special improvement district for conversion of overhead electric and communication facilities, except as authorized by this chapter.

Section 33. No limitation of Public Service Commission's jurisdiction. Nothing contained in this chapter shall vest any jurisdiction over public utility in the governing body. The Public Service Commission of Montana shall retain all jurisdiction now or hereafter conferred upon it by law.

Section 34. Invalidity of one provision not to affect others—exception.

If any section or provision of this chapter be adjudged unconstitutional or invalid for any reason, such adjudication shall not affect the validity of this chapter as a whole, or of any section or provision hereof, which is not specifically so adjudicated unconstitutional or invalid; provided, however, if any section or provision of this chapter concerning the payment to the public utility shall be adjudged unconstitutional or invalid for any reason in such a way that the payment to the public utility or the creation of the funds for that purpose is adjudged to be invalid or unconstitutional, then such invalidity or unconstitutionality shall invalidate this chapter in its entirety and to this end and in this event the provisions of this chapter are declared to be nonseverable.

Section 35. Abatement of construction. If a special improvement district is established pursuant to this chapter, the public utility involved shall not be required to commence conversion until the ordinance, the assessment roll and issuance of bonds have become final and no civil action has been filed or if civil action has been filed, until the decision of the court upon the action has become final and is not subject to further appeal."

And, as so amended, do pass.

COX, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Falkenstern moved that Senate Joint Resolution No. 13 be taken from Committee on Environment and Resources and be re-referred to Committee on Townships and Counties. Motion carried.

Snortland, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 33, moved that the House reconsider its action.

As a substitute motion, Giesick moved that the motion to reconsider be laid on the table.

Hall requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Brand, Burnett, Campbell, Clemow, Dye, East, Ellerd, Falkenstern, Fitzgerald, Forester, Giesick, Glennen, Healy, Hemstad, Himsl, Jackson, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, McGrath, McNamer, Mather, Mehrens, J. E. Murphy, Nichols, Olson, Perry, Nelstead, Quilici, Selstad, C. M. Smith, E. B. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 54.

Noes: Baeth, Bardanouve, Bradley, Brown, Christiansen, Cox, Darrow, Devine, Fagg, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harrison, Hodges, Johnston, Kendall, Knudsen, Kosena, Lien, Lund, Lynch, McKittrick, Marbut, Menahan, T. L. Murphy, Norman, Parrish, Patrick, Prevost, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Warfield, Watt, Weeding, Yardley, Zimmer, Zody. Total 45.

Absent or not voting: Haines, Harper, Marks. Total 3.

Excused: Edland, Eggebrecht. Total 2.

Mather moved that House Bill No. 308 and House Bill No. 353 be taken from the Committee on Environment and Resources and be placed on Second Reading. Motion carried.

Swan moved that House Bill No. 240 be taken from the Committee

on State Administration and be re-referred to Appropriations Committee. Motion carried.

Knudsen, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 160, moved that the House reconsider its action and that House Bill No. 160 be re-referred to Committee on Public Health, Welfare and Safety. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Selstad moved that the House suspend Rules and consider the Resolution read in full. Motion carried.

House Resolution No. 7, introduced by Selstad, Lund. A Resolution of the House of Representatives of the State of Montana requesting the Board of Education to appoint a study council of representatives of Montana University System, private colleges, junior colleges and vocational schools for the purpose of formulating a master program of higher education giving the authority to the Legislative Council over budget and staff, accountability to the general public, and encouraging effective co-operation among all post-high school educational institutions. Referred to Committee on Education.

February 7, 1971

I have examined House Joint Resolution No. 4, introduced by me, and find the same to be correct.

COX, Chairman

February 7, 1971

I have examined House Joint Resolution No. 45, introduced by me, and find the same to be correct.

GUNDERSON

The Speaker signed the following bills in open session, the titles having first been read: House Joint Resolutions Nos. 4, 45.

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Ulmer in the Chair. Committee arose.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 553 do pass.

That House Bill No. 565 be passed for the day

That House Bill No. 559 do pass.

That House Bill No. 510 do pass.

That House Bill No. 547 be amended in the title by striking the period and adding the following: "and providing an effective date."

And, as so amended, do pass.

That Senate Bills Nos. 160 and 66 be passed for the day.

That Senate Amendments to House Bill No. 267 be concurred in.

That House Bill No. 168 be passed for the day.

That House Bill No. 316 do pass.

That House Bill No. 390 do pass.

That House Bill No. 174 do pass.

That House Bill No. 497 do pass.

That House Bill No. 512 do pass.

That House Bill No. 514 do pass.

That House Joint Resolution No. 33 do pass.

That House Joint Resolution No. 42 do pass.

That House Joint Resolution No. 29 do pass.

That the Committee rise and report.

ULMER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Cox moved that House Bill No. 164 be taken from Printing and be re-referred to Committee on Affairs of Cities. Motion carried.

J. Murphy moved that House Bill No. 168 be taken from Second Reading and be re-referred to Committee on Appropriations. Motion carried.

Harrison moved that the House adjourn until 11:30 a.m., February 9, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

THIRTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 9, 1971

House convened, pursuant to adjournment, at 11:30 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except, Edland, Eggebrecht, Jackson, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Thirty-sixth Legislative Day, and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 45 was passed by the following vote:

Ayes: Aber, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lien, Lockrem, Lund, Lundgren, Marbut, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Robbins, Schoonover, Scott, Shelden, Snortland, Staigmillier, Swan, Swanberg, Towe, Warfield, Weeding, Yardley, Zody, Mr. Speaker. Total 62.

Noes: Ainsworth, Asbjornson, Aspevig, Dye, Hall, Harper, Harrison, Healy, Hemstad, Keller, Kvaalen, Lee, Lombardi, Lynch, McGrath, McKittrick, McNamer, Marks, Mather, J. Murphy, Olson, Perry, Prevost, Quilici, Selstad, C. Smith, E. Smith, Spilde, Sverdsten, Ulmer, Whitney, Wolf, Worden, Zimmer. Total 34.

Absent or not voting: Brown, Ellerd, Falkenstern, Lockwood, Watt. Total 5.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 205 was passed by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Spilde, Staigmillier, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 79.

Noes: Aber, Ainsworth, Bardanouve, Brand, Brown, Burnett, Campbell, Ellerd, Fitzgarrald, Hemstad, Knudsen, Kvaalen, Lund, J. Murphy, Nichols, Perry, Prevost, Selstad, C. Smith, E. Smith, Sverdsten, Weeding. Total 22.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 250 was passed by the following vote:

Ayes: Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Christiansen, Clemow, Cox, Devine, Fagg, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Quilici, Robbins, Schoonover, Shelden, E. Smith, Snortland, Staigmillier, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 64.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Brown, Burnett, Campbell, Darrow, Dye, East, Ellerd, Falkenstern, Forester, Haines, Hemstad, Keller, Kvaalen, Lien, Lockrem, Lockwood, McNamer, Mather, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Scott, Selstad, C. Smith, Spilde, Swan, Ulmer, Whitney, Wolf, Worden. Total 37.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 291 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Gerke, Giesick, Glennen, Greeley, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Aber, Burnett, Cox, Fitzgarrald, Forester, Himsl, Lockrem, Nichols, Patrick, Perry, Selstad, C. Smith, E. Smith, Snortland, Wolf. Total 15.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 329 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Cox, Darrow, Devine, Dye, Fagg, Fاسبender, Fleming, Gerke, Giesick, Glennen, Greeley, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Snortland, Staigmiller, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 79.

Noes: Aber, Burnett, Clemow, East, Ellerd, Falkenstern, Fitzgarrald, Forester, Gunderson, Hemstad, McNamer, J. Murphy, Nichols, Perry, C. Smith, E. Smith, Swan, Ulmer, Whitney, Wolf, Mr. Speaker. Total 21.

Absent or not voting: Spilde. Total 1.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 331 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greeley, Gunderson, Haines, Hall, Harper, Harrison, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 89.

Noes: Bardanouve, Brand, Christiansen, Healy, Lee, Lockrem, Lombardi, McGrath, Menahan, Sverdsten, Swanberg. Total 11.

Absent or not voting: Nichols. Total 1.

Excused: Edland, Eggebrecht, Jackson. Total 3.

Kvaalen moved that House Bill No. 338 be taken from Third Reading and be placed in Second Reading.

Hall requested a roll call vote be taken and the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Burnett, Campbell, Clemow, Darrow, Dye, East, Ellerd, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Harrison, Hemstad, Himsl, Keller, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Ulmer, Warfield, Whitney, Wolf. Total 47.

Noes: Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Cox, Devine, Edland, Fagg, Fasbender, Fleming, Gerke, Greely, Gunderson, Haines, Hall, Harper, Healy, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmillar, Sverdsten, Swanberg, Towe, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 55.

Pairs: Edland, No. Lundgren, Aye.

Absent or not voting: None.

Excused: Eggebrecht, Jackson. Total 2.

House Bill No. 338 was passed by the following vote:

Ayes: Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Cox, Devine, Edland, Fagg, Fasbender, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Johnston, Kendall, Knudsen, Kosena, Lee, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Staigmillar, Swanberg, Towe, Ulmer, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 61.

Noes: Aber, Asbjornson, Aspevig, Burnett, Clemow, Darrow, Dye, East, Ellerd, Falkenstern, Fitzgarrald, Forester, Giesick, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lundgren, McNamer, Marks, Nichols, Olson, Patrick, Nelstead, Prevost, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Warfield, Whitney, Wolf. Total 40.

Pairs: Edland, Aye; Lundgren, No.

Absent or not voting: Perry. Total 1.

Excused: Eggebrecht, Jackson. Total 2.

House Bill No. 345 failed to pass by the following vote:

Ayes: Aber, Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Clemow, Devine, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Hodges, Johnston, Kendall, Kolstad, Kvaalen, Laas, Lien, Lynch, McKittrick, Marbut, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Snortland, Staigmillar, Swanberg, Towe, Watt, Weeding, Yardley, Zody. Total 41.

Noes: Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harper, Harrison, Healy, Hemstad,

Himsl, Keller, Knudsen, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, McGrath, McNamer, Marks, Mather, Mehrens, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Spilde, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Zimmer, Mr. Speaker. Total 56.

Absent or not voting: Kosena, Lundgren, Menahan, Sverdsten. Total 4.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 351 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 363 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Partick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 416 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Fاسبender, Fitzgarrald, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. Smith,

E. Smith, Snortland, Staigmiller, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Falkenstern, Forester, Giesick, McNamer, Marks, Mather, J. Murphy, Olson, Scott, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf. Total 15.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 426 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasneder, Fleming, Gerke, Giesick, Glennen, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 83.

Noes: Anderson, Fitzgarrald, Forester, Greely, Hall, Keller, Kvaalen, Lynch, Marks, T. Murphy, Nichols, Prevost, Selstad, C. Smith, Spilde, Staigmiller, Swan, Weeding. Total 18.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 437 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasneder, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Robbins, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 83.

Noes: Bardanouve, Brand, Gunderson, Hall, Knudsen, Lee, Lynch, Mehrens, T. Murphy, Perry, Prevost, Quilici, Schoonover, E. Smith, Staigmiller, Yardley, Zimmer. Total 17.

Absent or not voting: Patrick. Total 1.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 438 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Christiansen, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasneder, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover,

Scott, Shelden, E. Smith, Snortland, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 79.

Noes: Ainsworth, Brand, Campbell, Clemow, Cox, Fitzgarrald, Forester, Knudsen, Kolstad, Lien, Lockrem, Marbut, Marks, Nichols, Perry, Prevost, Selstad, C. Smith, Spilde, Sverdsten, Swan, Wolf. Total 22.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 447 failed to pass by the following vote:

Ayes: Baeth, Bardanouve, Bradley, Brand, Fasbender, Fleming, Haines, Himsl, Johnston, Kendall, Lien, McNamer, Mehrens, Menahan, T. Murphy, Prevost, Robbins, Towe, Watt. Total 19.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 79.

Absent or not voting: Lundgren, Norman, Yardley. Total 3.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 448 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Weeding. Total 1.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 449 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, Mc-

Grath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrnes, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Lockrem, Perry, Selstad, C. Smith, Swanberg, Whitney, Wolf. Total 7.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 457 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Ellerd. Total 1.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 463 was passed by the following vote:

Ayes: Aber, Ainsworth, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Snortland, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 80.

Noes: Anderson, Asbjornson, Bardanouve, East, Falkenstern, Haines, Hemstad, Knudsen, Kvaalen, Lien, Lund, McNamer, T. Murphy, Olson, Perry, Prevost, C. Smith, E. Smith, Spilde, Swan, Weeding, Whitney. Total 22.

Pairs: Edland, Aye; Kvaalen, No.

Absent or not voting: None.

Excused: Eggebrecht, Jackson. Total 2.

House Bill No. 464 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Gerke,

Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, Snortland, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 80.

Noes: Anderson, Bardanouve, Brand, East, Falkenstern, Forester, Haines, Hemstad, Knudsen, Kvaalen, Lien, Lund, Marks, T. Murphy, Olson, Prevost, C. Smith, E. Smith, Spilde, Weeding, Whitney, Wolf. Total 22.

Pairs: Edland, Aye; Kvaalen, No.

Absent or not voting: None.

Excused: Eggebrecht, Jackson. Total 2.

House Bill No. 468 was passed by the following vote:

Ayes: Aber, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Fagg, Fasbender, Fleming, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Kosena, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Sheldon, Snortland, Staigmillar, Sverdsten, Swanberg, Towe, Warfield, Watt, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 65.

Noes: Anderson, Asbjornson, Aspevig, Bardanouve, Brand, East, Falkenstern, Fitzgarrald, Forester, Giesick, Haines, Hemstad, Keller, Knudsen, Kolstad, Kvaalen, Laas, Lien, Lund, McNamer, Marks, T. Murphy, Olson, Perry, Prevost, Selstad, C. Smith, E. Smith, Spilde, Swan, Ulmer, Weeding, Whitney, Wolf. Total 34.

Absent or not voting: Ainsworth, Ellerd. Total 2.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 477 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McKittrick, McNamer, Marbut, Marks, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Lee, Lynch, McGrath, Mather, Schoonover, Selstad. Total 6.

Absent or not voting: Mehrens, Sverdsten. Total 2.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 478 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow,

Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Sheldon, E. Smith, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Anderson, Brand, Burnett, Hemstad, Keller, Kolstad, Olson, Perry, Prevost, Selstad, C. Smith, Snortland, Spilde, Swan, Wolf. Total 15.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 482 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Ainsworth, Campbell, Gunderson, Harrison, Staigmiller. Total 5.

Absent or not voting: Sheldon. Total 1.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 487 was passed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Campbell, Christiansen, Clemow, Cox, Devine, Fagg, Fasbender, Fleming, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kosen, Kvaalen, Laas, Lee, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, T. Murphy, Norman, Parrish, Nelstead, Prevost, Robbins, Schoonover, Scott, Sheldon, Staigmiller, Swanberg, Towe, Watt, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 58.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Darrow, Dye, East, Ellerd, Falkenstern, Fitzgarrald, Forester, Giesick, Haines, Harrison, Hemstad, Keller, Kolstad, Lanthorn, Lien, Lockrem, Lundgren, McNamer, Marks, J. Murphy, Nichols, Olson, Patrick, Perry, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Weeding, Whitney, Wolf. Total 43.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 517 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,

Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fashbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: McNamer. Total 1.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 520 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fashbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 92.

Noes: Fitzgarrald, Hemstad, Himsl, Nichols, C. Smith, Snortland, Spilde, Zimmer. Total 8.

Absent or not voting: Norman. Total 1.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 521 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bradley, Brand, Campbell, Christiansen, Cox, Devine, Fagg, Fashbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kvaalen, Laas, Lien, Lockrem, Lockwood, Lund, Lundgren, McGrath, McKittrick, Marbut, Marks, Mather, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Robbins, Schoonover, Scott, Shelden, Swan, Swanberg, Towe, Warfield, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 63.

Noes: Bennett, Brown, Burnett, Clemow, Darrow, Dye, East, Ellerd, Falkenstern, Giesick, Harper, Harrison, Healy, Hemstad, Keller, Kosena, Lanthorn, Lee, Lombardi, Lynch, McNamer, Mehrens, J. Murphy, Patrick, Perry, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Ulmer, Watt, Weeding, Whitney, Wolf. Total 38.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 537 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown Christiansen, Devine, Dye, Ellerd,

Fagg, Fasbender, Fleming, Gerke, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Kolstad, Kosena, Laas, Lee, Lien, Lockwood, Lombardi, Lynch, McGrath, McKittrick, McNamer, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmillar, Swanberg, Ulmer, Warfield, Watt, Weeding, Worden, Zimmer, Zody. Total 62.

Noes: Burnett, Campbell, Clemow, Cox, Darrow, East, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Hemstad, Keller, Knudsen, Kvaalen, Lanthorn, Lockrem, Lund, Lundgren, Marbut, Marks, Mather, Nichols, Olson, Patrick, Perry, Prevost, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Towe, Whitney, Wolf, Yardley, Mr. Speaker. Total 39.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 555 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 556 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Whitney. Total 1.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 566 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,

Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fasn timer, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: Devine, Keller, McNamer. Total 3.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 570 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasn timer, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Patrick. Total 1.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 572 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasn timer, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: Hemstad, Keller, Selstad. Total 3.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Bill No. 575 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,

Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Zimmer. Total 1.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Joint Resolution No. 32 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Bardanouve, Perry, Spilde, Wolf. Total 4.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Joint Resolution No. 34 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Brand, Marks, Parrish, Perry. Total 4.

Absent or not voting: None.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Joint Resolution No. 40 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Baeth, Bennett, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd,

Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, J. Murphy, Nichols, Patrick, Nelstead, Quilici, Robbins, Schoonover, Selstad, Shelden, C. Smith, Snortland, Staigmiller, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 80.

Noes: Aspevig, Bardanouve, Bradley, Brand, Burnett, Johnston, Lien, T. Murphy, Norman, Olson, Parrish, Perry, Prevost, Scott, E. Smith, Spilde, Sverdsten, Swanberg, Wolf. Total 19.

Absent or not voting: Menahan, Zimmer. Total 2.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Joint Resolution No. 46 was passed by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Christiansen, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Gerke, Greely, Gunderson, Haines, Harrison, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockwood, Lund, Lundgren, McNamer, Marks, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zody, Mr. speaker. Total 63.

Noes: Ainsworth, Brand, Burnett, Campbell, Clemow, Cox, Fleming, Forester, Giesick, Glennen, Hall, Harper, Healy, Hemstad, Lanthorn, Lee, Lockrem, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, C. Smith, Towe, Whitney. Total 35.

Absent or not voting: Anderson, Wolf, Zimmer. Total 3.

Excused: Edland, Eggebrecht, Jackson. Total 3.

House Joint Resolution No. 50 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Devine, East, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Prevost, Quilici, Robbins, Scott, Shelden, E. Smith, Spilde, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 72.

Noes: Anderson, Bennett, Burnett, Darrow, Dye, Ellerd, Fagg, Forester, Hemstad, Himsl, Keller, Kvaalen, Lanthorn, Lockwood, Lynch, Marks, Parrish, Patrick, Perry, Nelstead, Schoonover, Selstad, C. Smith, Snortland, Sverdsten, Swan, Wolf. Total 27.

Absent or not voting: Bardanouve, Lundgren. Total 2.

Excused: Edland, Eggebrecht, Jackson. Total 3.

THIRD READING OF SENATE BILLS

The following having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendment to House Bill No. 133 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Parrish. Total 1.

Absent or not voting: Gerke, Lockwood, Norman, Sverdsten. Total 4.

Excused: Edland, Eggebrecht, Jackson. Total 3.

Senate Amendments to House Bill No. 134 were concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Bown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, J. Murphy, Nichols, Norman, Olson, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Staigmilller, Swan, Swanberg, Towe, Ulmer, Watt, Worden, Yardley, Zody, Mr. Speaker: Total 78.

Noes: Aspevig, Brand, Fitzgarrald, Hemstad, Marks, T. Murphy, Parrish, Perry, Prevost, Selstad, C. Smith, Snortland, Spilde, Weeding, Wolf. Total 15.

Absent or not voting: Ainsworth, Gerke, Lundgren, Menahan, Sverdstern, Warfield, Whitney, Zimmer. Total 8.

Excused: Edland, Eggebrecht, Jackson. Total 3.

Senate Amendments to House Bill No. 267 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Staigmilller, Swan, Swanberg, Towe,

Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 91.

Noes: Parrish. Total 1.

Absent or not voting: Asbjornson, East, Gerke, Kvaalen, Nichols, Shelden, Spilde, Sverdsten, Zimmer. Total 9.

Excused: Edland, Eggebrecht, Jackson. Total 3.

REPORTS OF STANDING COMMITTEES

February 9, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 119, 386, 387, 388, 389, 410, 429, 430, 431, 432, 501, 235, House Joint Resolution No. 23, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 9, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 174, 316, 390, 497, 510, 512, 514, 553, 559, 547, House Joint Resolution Nos. 29, 33, 42.

MARKS, Chairman

February 9, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 53, 177, 273, 314, 397, 398, 428, 443, 452, 455, 501, 508, 524, 528, 529, 596, House Joint Resolution No. 26, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 9, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Joint Resolution Nos. 4 and 45, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 9:30 o'clock a.m., delivered to the Governor for his approval.

MARKS, Chairman

February 9, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Patricia D. Morgan, Multilith Clerk, be removed from the payroll effective January 31, 1971.

SPILEDE, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 499, respectfully report as follows: That House Bill No. 499 be amended.

Swan moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, section 1, lines 20 through 22 by striking the following material "[Any person appointed under the provisions of this

section after July 1, 1971, shall also]" and inserting in lieu thereof the following material "Preference and appointment shall be given to any person who", and

Be further amended on page 1, line 30 through page 2, lines 1 and 2 by striking the following material "[The qualifications enumerated under (1) and (2) of this section shall not apply to any person appointed as a probation officer prior to July 1, 1971.]", and

Be further amended on page 2, section 1, lines 6 and 7 by striking the following material "[ten thousand two hundred dollars (\$10,200)]" and inserting in lieu thereof the following material "nine thousand dollars (\$9,000)", and

Be further amended on page 2, section 1, line 17 after the word "persons" by inserting the following material "giving preference to persons", and

Be further amended on page 2, section 1, line 18 after the word "qualifications" by striking the following word "[required]" and inserting in lieu thereof the following word "suggested", and

(Material in brackets denotes cancelled type.)

As so amended, do pass.

SWAN, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 323, respectfully report as follows: That House Bill No. 323 do not pass.

SWAN, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 523, respectfully report as follows: That House Bill No. 523 do pass.

SWAN, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 223, respectfully report as follows: That House Bill No. 223 do not pass.

SWAN, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 301, respectfully report as follows: That House Bill No. 301 do not pass.

SWAN, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 be amended

Wolf moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 7, line 13, after the word "or" by striking the words "[franchise holder]" and inserting in lieu thereof the words "any publicly, privately, or cooperatively owned utility", and

Be further amended on page 7, line 17 after the word "power" by inserting the words "or communications", and

Be further amended on page 7, line 20 after the word "town" by inserting the words "or any such utility", and

Be further amended on page 7, line 21 after the word "maintain" by striking the words "[any municipal utility]" and inserting in lieu thereof the words "such facilities and overcrossings", and

Be further amended on page 7, line 28 after the word "town" by striking the following words "[itself, or at its discretion]" and inserting the words "or utility", and

Be further amended on page 7, line 29 after the word "town" by inserting the words "or utility", and

Be further amended on page 7, line 29 after the word "overhead" by inserting the words "or underground" and after the word "facilities" by striking out "[within the]", and

Be further amended on page 7, on line 30 before the word "as" by striking the words "[corporate limits of a city or town]", and

Be further amended on page 7, on line 31 before the word "the" by inserting the words "reimbursement for", and

Be further amended on page 8, line 1 after the word "state" by inserting the following words "as provided in the statutes prevailing at that time", and

Be further amended on page 8, on line 2 after the word "grant" by striking the word "[utility]" and inserting in lieu thereof the word "utilities", and

Be further amended on page 8, line 3 before the word "the" by striking the words "[franchises crossing]" and inserting in lieu thereof the words "and agreement to cross", and

Be further amended on page 8, line 4 after the word "such" by striking the word "[franchises]" and inserting in lieu thereof the word "agreements", and

Be further amended on page 8, line 6 after the word "such" by striking the word "[franchises]" and inserting in lieu thereof the word "agreements", and

Be further amended on page 8, line 9 after the word "of" by striking the words "[any franchise]" and inserting in lieu thereof the words "any agreement", and

Be further amended on page 8, line 10 after the word "no" by inserting the following words "city or town shall grant a", and

Be further amended on page 8, line 11 after the word "vehicles" by striking the words "[shall be granted]", and

Be further amended on page 13, line 22 after the word "in" by striking the word "[superior]" and inserting in lieu thereof the word "district", and

Be further amended on page 14, line 31 after the word "the" by striking the words "[highway commission]" and inserting in lieu thereof the words "board of review", and

(Material in brackets denotes cancelled type.)

As amended, do pass.

WOLF, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 563, respectfully report as follows: That House Bill No. 563 do pass.

WARFIELD, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 562, respectfully report as follows: That House Bill No. 562 do pass.

WARFIELD, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 415, respectfully report as follows: That House Bill No. 415 do not pass.

EAST, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Joint Resolution No. 49, respectfully report as follows: That House Joint Resolution No. 49 do pass.

ULMER, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 409, respectfully report as follows: That House Bill No. 409 do not pass.

ULMER, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 473, respectfully report as follows: That House Bill No. 473

Be amended on page 1, section 1, line 10, of the introduced bill, after the word "insurance" by striking the word "shall" and putting in lieu thereof the word "may", and

As so amended, do pass.

WORDEN, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 440, respectfully report as follows: That House Bill No. 440 do not pass.

WORDEN, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 589, respectfully report as follows: That House Bill No. 589

Be amended in 1-916, page 14, line 18 of the printed bill, after the word "municipality" by striking the word "[shall]" and inserting in lieu thereof the word "may", and

Be further amended in 1-917, page 15, line 7 of the printed bill, after the word "levy" by striking the following material: "[in addition to all other levies permitted by law, not to exceed four (4) mills on the taxable valuation of property in such county]" and inserting in lieu thereof the following material: "as provided for in section 1-804, R.C.M., 1947," and

(Material in brackets denotes canceled type.)

As so amended, do pass.

WORDEN, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 312, respectfully report as follows: That House Bill No. 312 be amended.

Warfield moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 2, lines 21 through 30 by striking the material in its entirety and inserting in lieu thereof the following material "An "educationally handicapped child" means a child who cannot reasonably profit from the general educational program because of marked learning or behavioral problems or a combination thereof and whose learning difficulties are not the result of mental retardation or present physical handicap.", and

Be further amended on page 3, lines 1 through 3 by striking the material in its entirety, and

Be further amended on page 4, line 20 through page 6, line 13 by striking the material in its entirety and inserting in lieu thereof the following material "(12) in order to develop and pilot sound and efficient programs in the state for the educationally handicapped, the superintendent of public instruction shall approve for the 1971-1972 and 1972-73 school years pilot projects for educationally handicapped children in five school districts which shall represent the five regions established for planning comprehensive mental health and mental retardation services. No more than five programs shall be approved for each district. Evaluation procedures as prescribed by the superintendent of public instruction will be included in each approved project. Based upon this evaluation data, the superintendent of public instruction will develop a report to the 1973 Legislature concerning the advisability of further legislation for the educationally handicapped.

(a) Special education programs and teachers for the educationally handicapped shall meet the qualifications contained in guidelines established by the superintendent of public instruction.

(b) All approved programs shall have at least one resource teacher assigned to a preventative type program at the primary level.

(c) Determination of which students are to be enrolled in programs for the educationally handicapped shall be determined in accordance with guidelines established by the superintendent of public instruction.

(d) The superintendent of public instruction may appoint an advisory committee for consultation in developing necessary guidelines.

(e) Reimbursement on the part of the state for educationally handicapped programs shall be made on the basis of 25 ANB for each approved program.

(f) An approved program may be a teacher who serves in a resource capacity and carries a minimum load of 20 students and a maximum load of 30 students.

A self-contained classroom with a minimum of 7 students to a maximum of 12 students.”, and

As so amended, do pass.

Report adopted.

WARFIELD, Chairman

February 8, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 10, respectfully report as follows: That House Bill No. 10 do pass.

Report adopted.

KELLER, Chairman

February 9, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 540, respectfully report as follows: That House Bill No. 540 be amended

Hemstad moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 2, section 2, subsection 3, line 6 by deleting the following word “[soil]”, and

Be further amended on page 2, section 2, subsection 5, line 14 by deleting the following word “[soil]”, and

Be further amended on page 4, section 3, line 1 by deleting the following words “[at Bozeman, Montana]”, and

Be further amended on page 4, section 3, line 2 by deleting the following material “[at Bozeman, Montana]”, and

Be further amended on page 8, section 4, subsection 2, line 1 by deleting the following words “[soil and water]”, and

Be further amended on page 13, section 4, line 7 by deleting the following material “[sixty-five (65) per cent]” and inserting in lieu thereof the following material “a majority”, and

Be further amended on page 14, section 4, line 26 by deleting the following material “[sixty-five (65) per cent]” and inserting in lieu thereof the following material “a majority”, and

Be further amended on page 18, section 6, line 20 after the word and figure “five (5)” by inserting the following word and figure “or seven (7)”, and

Be further amended on page 18, section 6, line 20 after the word “elected” by inserting the following words “or appointed”, and

Be further amended on page 18, section 6, line 21 by deleting “[above]” in the word “herein[above]”, and

Be further amended on page 25, section 8, line 17 after the word “and” by deleting the following word “[soil]” and inserting in lieu thereof the following word “water”, and

Be further amended on page 25, section 8, line 18 after the word “controlling” by deleting the following word “[soil]”, and

Be further amended on page 27, section 8, line 2 by deleting the following material “[sixty-five (65) percent percent (65%)]” and inserting in lieu thereof the following material “a majority”, and

Be further amended on page 27, Section 8, line 5 by deleting the

following material "[sixty-five (65) per cent percent (65%)]" and inserting in lieu thereof the following material "a majority", and

Be further amended on page 28, section 8, line 17 after the word "soil" by inserting the words "and water", and

Be further amended on page 28, section 8, line 18 after the word "control" by deleting the following word "[soil]", and

Be further amended on page 29, section 8, lines 2 and 3 by deleting the following words "[qualified electors]" and inserting in lieu thereof the following words "occupiers of land", and

Be further amended on page 29, section 9, line 24 by deleting the following words "[land occupier]", and

Be further amended on page 30, section 9, line 7 by deleting the following words "[occupier of such land]" and inserting in lieu thereof the word "defendant", and

Be further amended on page 30, section 9, line 30 by deleting the following words "[occupier of such lands]" and inserting in lieu thereof the word "defendant", and

Be further amended on page 33, section 10, line 26, by deleting the word "[soil]", and

Be further amended on page 36, section 11, line 13 by deleting the word "[soil]", and

Be further amended on page 37, section 11, line 27 by deleting the following material "[occupiers of lands]" and inserting in lieu thereof the following material "qualified electors", and

Be further amended on page 43, section 13, line 4 by deleting the following words "[occupiers of lands]" and inserting in lieu thereof the following words "qualified electors", and

Be further amended on page 44, section 14, line 23, after the word and punctuation "district," by inserting the words, figures and punctuation "or within thirty (30) days after the effective date of this act," and

Be further amended on page 48, section 20, line 5 by deleting the word "[village]" and inserting in lieu thereof the following word "town", and

Be further amended on page 49, section 21, lines 3, 4, 5, and 6 by deleting the following material "[specifying those lands that will be benefited by the proposed project area and excluding those lands that will not be so benefited]", and

Be further amended on page 49, section 21, line 21 by deleting the word "[located]" and inserting in lieu thereof the following word "resides", and

As so amended, do pass.

(Material in brackets denotes cancelled type.)

HEMSTAD, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Legislative Modernization, having had under consideration House Bill No. 525, respectfully report as follows: That House Bill No. 525 do not pass.

DARROW, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 414, respectfully report as follows: That House Bill No. 414 do not pass.

ULMER, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 474, respectfully report as follows: That House Bill No. 474 do not pass.

ULMER, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 530, respectfully report as follows: That House Bill No. 530 be amended.

Ulmer moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended in section 3, page 1, line 28 of the printed bill, after the word "which" by striking the following material: "[has a gross income of five hundred dollars (\$500)]" and inserting in lieu thereof the following material: "produces grazing, forest, or field crops with a gross value of two thousand dollars (\$2,000)", and

Be further amended in section 3, page 2, line 1 of the printed bill, after the word "devoted" by adding the following material: "and assessed as agricultural land", and

Be further amended in section 4, page 2, lines 6 through 10 of the printed bill by striking the material contained therein in its entirety, and

Be further amended by renumbering subsequent sections to conform numerically, and

Be further amended in section 5, subsection (1), page 2, line 15 of the printed bill, after the word "devoted", by adding the following material: "and assessed", and

Be further amended in section 5, subsection (2), page 2, line 20 of the printed bill, after the word "gross" by striking the following material: "[sales of agricultural products]" and inserting in lieu thereof the following material: "Value of grazing and field crops", and

Be further amended in section 5, subsection (2), page 2, line 23 of the printed bill, after the word "least" by striking the following material: "[five hundred dollars (\$500)]" and inserting in lieu thereof the following material: "two thousand dollars (\$2,000)", and

Be further amended in section 5, subsection (3) (a), page 2, line 30 of the printed bill, after the word "state" by striking the words: "[tax commission]" and inserting in lieu thereof the words: "board of equalization", and

Be further amended in section 5, subsection (3) (b), page 3, line 15 of the printed bill, after the word "section" by striking the figure "[7]" and inserting in lieu thereof the figure "6", and

Be further amended in section 6, page 3, line 22 of the printed bill, after the word "The" by striking the following material: "[assessor in valuing]" and inserting in lieu thereof the following material: "county commissioners in classifying", and

Be further amended in section 7, page 4, line 9 of the printed bill, after the word "exceed" by striking the following material: "[two (2)]" and inserting in lieu thereof the following material: "four (4)", and

Be further amended in section 7, subsection (1), page 4, line 14 of the printed bill, after the word "land" by adding the following material: "as determined by the county commissioners", and

Be further amended in section 7, subsection (4), page 5, line 2 of the printed bill, after the word "by" by adding the following material: "30% to arrive at taxable value and then multiplying the taxable value by", and

Be further amended in section 8, page 5, line 7 of the printed bill, after the word "section" by striking the figure "[7]" and inserting in lieu thereof the figure "6", and

Be further amended in section 14, page 7, line 6 of the printed bill, after the word "and" by striking the following words: "[income of]" and inserting in lieu thereof the following words: "value of farm crops on", and

Be further amended in section 14, page 7, line 7 of the printed bill, after the word "or" by striking the following words: "[income of]" and inserting in lieu thereof the following words: "value of farm crops on", and

(Material in brackets denotes cancelled type.)

As so amended, do pass.

ULMER, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 580, respectfully report as follows: That House Bill No. 580 be amended.

Ulmer moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended in section 1 of the original and introduced bill, page 3, subsection (b), line 21 following the word "town" by inserting the following new material "in which less than ninety-five percent (95%) of the electric consumers and/or telephone users are served by a cooperative organization", and

Further amend in section 1, page 3, subsection (c), line 28 following the words and punctuation "Class Six." by reinstating the following sentence "Property formerly included in this class is now classified by section 84-301 of the Revised Codes of Montana, 1947.", and

Further amend in section 1, page 3, subsection (c), line 30, and page 4, lines 1 through 5 by deleting all of the underlined material, and

As so amended, do pass.

ULMER, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 582, respectfully report as follows: That House Bill No. 582

Be amended in section 1 of the original and introduced bill, page 3, subsection (b), line 12 following the word "except" insert the following new material "cooperative rural electric", and

Further amend in section 1, page 3, subsection (b), line 15 following

the word "volts" insert the following new material "shall be put in class 9", and

As so amended, do pass.

ULMER, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 585, respectfully report as follows: That House Bill No. 585 do not pass.

ULMER, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 165, respectfully report as follows: That House Bill No. 165 be amended

East moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Amend the title, being line 11 of the introduced bill, page 1, following the word "act" by inserting the words "and establishing the Public Employee Relations Board".

Amend pages 1 through 15 by striking all of the material following the enacting clause on page 1 and by inserting in lieu thereof the following material:

"Section 1. Findings and Purpose. The legislature hereby finds and declares that:

(1) the people of this state have a fundamental interest in the development of harmonious and cooperative relationships between government and its employees;

(2) recognition by public employers of the right of public employees to organize and full acceptance of the principle and procedure of full communication between public employers and public employee organizations can alleviate various forms of strife and unrest;

(3) the state has a basic obligation to protect the public by attempting to assure the orderly and uninterrupted operations and functions of government;

(4) the status of public employees neither is, nor can be, completely comparable to that of private employees, in fact or law, because of inherent differences in the employment relationship arising out of the unique fact that the public employer was established by and run for the benefit of all the people and its authority derives not from contract nor the profit motive inherent in the principle of free private enterprise, but from the constitution, statutes, and municipal charters; and

(5) this difference between public and private employment is further reflected in the constraints that bar any abdication or bargaining away by public employers of their continuing legislative discretion and in the fact that constitutional provisions as to contract, property, and due process do not have the same force with respect to the public employer-employee relationship.

It is the purpose of this act to obligate public agencies, public employees, and their representatives to enter into discussions with affirmative willingness to resolve grievances and disputes relating to wages, hours, and other terms and conditions of employment, acting within the framework of laws and charter provisions. It is also the purpose of this act to

promote the improvement of employer-employee relations within the various public agencies of the state and its political subdivisions by providing a uniform basis for recognizing the right of public employees to join organizations of their own choice, or to refrain from joining, and be represented by such organizations in their employment relations and dealings with public agencies.

Section 2. Definitions. As used in this act:

(1) "Public employee" means any person employed by any public agency except elected officials, persons directly appointed by the governor, members of any state board or commission who serve the state intermittently, professional employees, professional instructors, teachers, and school administrators, para-professional instructors employed by school boards and districts of this state, those people classed as legislative, judicial, or supervisory public employees and confidential employees including those who are employed in the department which administers this act as part of its responsibilities.

(2) "Supervisory employee" means any individual having authority, in the interest of the employer, (i) to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or (ii) responsibly to direct them, or (iii) to adjust their grievances, or (iv) effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(3) "Confidential employee" means one whose functional responsibilities or knowledge in connection with the issues involved in the meet and confer in good faith process would make his membership in the same organization as rank-and-file employees incompatible with his official duties.

(4) "Public agency" or "public employer" means the state of Montana and every governmental subdivision, district, public and quasi-public corporation, public agency and town, city, county, city and county, and municipal corporation, whether incorporated or not and whether chartered or not.

(5) "Governing body" means the legislative body of the public employer or the body possessing legislative powers.

(6) "Representative of the public employer" and "designated representative" means the chief executive officer of the public employer or his designee, except where the governing body provides otherwise.

(7) "Employee organization" means any organization which includes employees of a public agency and which has as one of its primary purposes representing such employees in discussions with that public agency over wages, hours, and other terms and conditions of employment.

(8) "Recognized employee organization" means an employee organization which has been formally acknowledged by the public agency or certified as representing a majority of the nonsupervisory employees of an appropriate unit.

(9) "Department" means the Montana department of labor and industry.

(10) "Meet and confer in good faith" means the process whereby the chief executive of a public agency, or such representatives as it may designate, and representatives of recognized employee organizations have the mutual obligation personally to meet and confer in order to exchange freely information, opinions, and proposals, to endeavor to reach agreement on matters within the scope of discussions, and to seek by every possible means to implement agreements reached.

(11) "Memorandum of agreement" means a written memorandum of understanding arrived at by the representatives of the public agency and a recognized employee organization(s), which may be presented to the governing body or its statutory representative and to the membership of such organization(s) for appropriate action.

(12) "Mediation" means effort by an impartial third party to assist in reconciling a dispute regarding wages, hours, and other terms and conditions of employment between representatives of the public agency and the recognized employee organizations through interpretation, suggestion, and advice.

(13) "Fact-finding" means investigation of such a dispute by an individual, panel, or board with the fact finder submitting a report to the parties describing the issues involved. The report may contain recommendations for settlement and may be made public.

(14) "Advisory arbitration" means interpretation of the terms of an existing or a new memorandum of agreement or investigation of disputes by an impartial third party whose decision is not binding upon the parties.

(15) "Voluntary arbitration" means a procedure wherein both parties jointly agree to submit their dispute to an impartial third party whose decision may be final and binding or advisory and non-binding, depending on the nature of the initial agreement.

(16) "Strike" means the failure by concerted action with others to report for duty, the wilful absence from one's position, the stoppage of work, or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment, and without the lawful approval of one's superior, or in any manner interfering with the operation of government of the state, the government of any of the political subdivisions thereof, or any authority, commission, board or branch thereof, for the purpose of inducing, influencing, or coercing a change in the conditions or compensation or the rights, privileges, or obligations of employment.

Section 3. Public employee relations board.

(a) There is hereby created as an adjunct to the Montana department of labor and industry a board, to be known as the public employee relations board, which shall consist of five (5) members appointed by the governor, by and with the advice and consent of the senate from persons representative of the public. Not more than three (3) members of the board shall be members of the same political party. Each member shall be appointed for a term of six (6) years, except that two (2) shall be appointed for a term to expire two (2) years following the effective date of this act, two (2) for a term that shall expire four (4) years following the effective date of this act, and one (1) for a term that shall expire six (6) years following the effective date of this act. A member appointed to fill a vacancy shall be appointed for the unexpired term of the member whom he is to succeed.

(b) Members shall hold no other public office or public employment in the state or its political subdivision.

(c) Members of the board, when performing the duties of the board, shall be compensated at the rate of fifty dollars (\$50) a day, together with an allowance of actual and necessary expenses incurred in the discharge of their responsibilities hereunder.

(d) The director of the Montana department of labor and industry shall be the executive director and the board may appoint such other persons, including but not limited to mediators, members of fact-finding boards, and representatives of employee organizations and public employers to serve as technical advisers to such factfinding boards, as it may

from time to time deem necessary for the performance of its functions. The board shall prescribe their duties, fix their compensation, and provide for reimbursement of their expenses within the amounts made available therefor by appropriation.

(e) In addition to the authority provided in other sections, the board may:

(i) Make studies and analyses of, and act as a clearing-house of information relating to conditions of employment of public employees throughout the state.

(ii) Provide technical assistance and training program to assist public employees in their dealings with employee organizations.

(iii) Request from any public agency such assistance, services, and data as will enable the board properly to carry out its functions and powers.

(iv) Establish procedures for the prevention of improper public employer and employee organization practices as provided in section 12 of this act, provided that in the case of a claimed violation of paragraph (5) of subdivision (b) or paragraph (4) of subdivision (c) of such section, procedures shall provide only for an entering of an order directing the public agency or employee organization to meet and confer in good faith. The pendency of proceedings under this paragraph shall not be used as the basis to delay or interfere with determination of representation status pursuant to section 6 of this act or with meeting and conferring. The board shall exercise exclusive nondelegable jurisdiction of the power granted to it by this paragraph.

(v) Establish, after consulting with representatives of employee organizations and of public agencies, panels of qualified persons broadly representative of the public, to be available to serve as mediators, members of fact-finding boards, or arbitrators.

(vi) Hold such hearings and make such inquiries, as it deems necessary, to carry out properly its functions and powers.

(vii) For the purpose of such hearings and inquiries, administer oaths and affirmations, examine witnesses and documents, take testimony and receive evidence, compel attendance of witnesses and the production of documents by the issuance of subpoenas, and delegate such powers to any member of the board or any person appointed by the board for the performance of its functions. Such subpoenas shall be regulated and enforced under the civil practice law and rules.

(viii) Make, amend, and rescind, from time to time, such rules and regulations, including but not limited to those governing its internal organization and conduct of its affairs, and exercise such other powers, as may be appropriate to effectuate the purposes and provisions of this act.

Section 4. Public employee rights. Public employees shall have the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of meeting and conferring with public employers or their designated representatives with respect to grievances and wages, hours, and other terms and conditions of employment. Public employees also shall have the right to refuse or fail to join or participate in the activities of employee organizations.

Section 5. Public employer rights. Nothing in this act is intended to circumscribe or modify the existing right of a public agency to:

(1) direct the work of its employees;

(2) hire, promote, demote, transfer, assign, and retain employees in positions within the public agency;

- (3) suspend or discharge employees for proper cause;
- (4) maintain the efficiency of government operations;
- (5) relieve employees from duties because of lack of work or for other legitimate reasons;
- (6) take actions as may be necessary to carry out the mission of the agency in emergencies; and
- (7) determine the methods, means, and personnel by which operations are to be carried on.

Section 6. Recognition of employee organizations.

(a) Public employers shall recognize employee organizations for the purpose of representing their members in dealings with such employees. Employee organizations may establish reasonable provisions for an individual's admission to or dismissal from membership.

(b) Where an employee organization has been certified by the board as representing a majority of the employees in an appropriate unit, or recognized formally, pursuant to the provisions of this act, the public employer shall meet and confer in good faith with such employee organization in the determination of, and the administration of grievance arising under the terms and conditions of employment of their public employees as provided in this act, and may enter into a memorandum of agreement with such employee organization.

(c) When a question concerning the designation of an appropriate unit is raised by a public agency, employee organization, or employees, the public employee relations board, established pursuant to this act, shall, at the request of any of the parties, investigate such question and, after a hearing, rule on the definition of the appropriate unit. In defining the unit, the board shall take into consideration, along with other relevant factors, the principles of efficient administration of government, the existence of a community of interest among employees, the history and extent of employee organization, geographical location, and the recommendations of the parties involved.

(d) Following investigation of a question concerning the representation of employees, the public employee relations board at the request of any of the parties, shall examine such questions and certify to the parties in writing the name(s) of the representative(s) that has been designated. The filing of a petition for the investigation or certification of a representative of employees by any of the parties shall constitute a question within the meaning of this section. In any such investigation, the board may provide for an appropriate hearing, shall determine voting eligibility, and shall take a secret ballot of employees in the appropriate unit involved to ascertain such representatives for the purpose of formal recognition. If the board has certified a formally recognized representative in an appropriate unit, as provided in this section, it shall not be required to consider the matter again for a period of one (1) year, unless it appears that sufficient reason exists. The board may promulgate such rules and regulations as may be appropriate to carry out the provisions of subsections (c) and (d) of this section.

Section 7. Rights accompanying formal recognition.

(a) A public employer shall extend to an employee organization certified or recognized formally, pursuant to this act, the right to represent the employees of the appropriate unit involved in meet and confer proceedings and in the settlement of grievances and the right to unchallenged representation status, consistent with section 6(d), during the twelve (12) months following the date of certification or formal recognition.

(b) Representatives of formally recognized employee organizations may be given reasonable time off without loss of compensation during normal working hours to meet and confer with public employers on matters falling within the scope of discussions.

Section 8. Procedures for determining the recognition status of local employee organizations.

(a) Every public agency, other than the state and its authorities acting through its governing body, may establish procedures, not inconsistent with the provisions of sections 6 and 7 of this act and after consultation with interested employee organizations and employer representatives, to resolve disputes concerning the recognition status of employee organizations composed of employees of such agency.

(b) In the absence of such procedures, these disputes shall be submitted to the public employee relations board in accordance with section 6 of this act.

Section 9. Scope of memorandum of agreements. The scope of a memorandum of agreement may extend to all matters relating to employment conditions and employer-employee relations, including, but not limited to, wages, hours, and other terms and conditions of employment except, however, that the scope of a memorandum of agreement shall not include proposals relating to (i) any subject preempted by federal or state law or by municipal charter, (ii) public employee rights defined in section 4 of this act, (iii) public employer rights defined in section 5 of this act, or (iv) the authority and power of any civil service commission, personnel board, personnel agency or its agents established by constitutional provision, statute, charter or special act to conduct and grade merit examinations, and to rate candidates in the order of their relative excellence from which appointments or promotions may be made to positions in the competitive division of the classified service of the public employer served by such civil service commission or personnel board. A memorandum of agreement may contain a grievance procedure culminating in advisory arbitration of unresolved grievances and disputed interpretations of such agreement.

Section 10. Implementation of memoradana of agreement. If agreement is reached by the representative of the public employer and the recognized employee organization, they shall jointly prepare a memorandum of understanding and, within fourteen (14) days, present it to the governing body for determination. The body as soon as practicable, shall consider the memorandum and take appropriate action. If a settlement is reached with an employee organization, the governing body or the representative of the public employer shall implement the settlement in the form of a law, ordinance, resolution, executive order, rule, or regulation, as the case may be. If the governing body or the designated representative rejects a proposed memorandum, the matter shall be returned to the parties for further deliberation.

Section 11. Resolution of disputes arising in the course of discussions.

(a) Public employers may include in memoranda of agreement concluded with formally recognized or certified employee organizations a provision setting forth the procedures to be invoked in the event of a disputes which reach an impasse in the course of meet and confer proceedings. For purposes of this section, an impasse shall be deemed to exist if the parties fail to achieve agreement at least sixty (60) days prior to the budget submission date of the public employer. In the absence or upon the failure of dispute resolution procedures contained in agreements resulting in an impasse, either party may request the assistance of the public employee relations board or the board may render such assistance on its own motion, as provided in subdivision (b) of this section.

(b) On the request of either party, or upon the board's own motion,

if it determines an impasse exists in meet and confer proceedings between a public employer and formally recognized or certified employee organizations, the board shall aid the parties in effecting a voluntary resolution of the dispute, and appoint a mediator or mediators, representative of the public, from a list of qualified persons maintained by the board.

(c) If the impasse persists ten (10) days after the mediator(s) has been appointed, the board shall appoint a fact-finding board of not more than three (3) members, each representative of the public, from a list of qualified persons maintained by the board. The fact-finding board shall conduct a hearing, may administer oaths, and may request the board to issue subpoenas.

It shall make written findings of facts and recommendations for resolution of the dispute and, not later than twenty (20) days from the day of appointment, shall serve such findings on the public employer and the recognized employee organization. If the dispute continues ten (10) days after the report is submitted to the parties, the report shall be made public.

(d) If the parties have not resolved the impasse by the end of a forty (40) day period commencing with the date of appointment of the fact-finding board, (i) the representative of the public employer involved shall submit to the governing body or its duly authorized committee(s) a copy of the findings of fact and recommendations of the fact-finding board, together with his recommendations for settling the dispute; (ii) the employee organization may submit to the governing body or its duly authorized committee(s) its recommendations for settling the dispute; (iii) the governing body or such committee(s) shall forthwith conduct a hearing at which the parties shall be required to explain their positions with respect to the board; and (iv) thereafter, the governing body shall take such action as it deems to be in the public interest, including the interest of the public employees involved.

(e) The costs for mediation services provided by the board shall be borne by the board. All other costs, including that of fact-finding services, shall be borne equally by the parties to a dispute.

Section 12. Prohibited practices; evidence of bad faith.

(a) Commission of a prohibited practice, as defined in this section, among other actions, shall constitute evidence of bad faith in meet and confer proceedings.

(b) It shall be a prohibited practice for a public employer or its designated representative wilfully to:

(i) interfere, restrain, or coerce public employees in the exercise of rights granted in Section 4 of this act;

(ii) dominate, interfere, or assist in the formation, existence, or administration of any employee organization;

(iii) encourage or discourage membership in any labor organization, employee agency, committee, association, or representation plan by discrimination in hiring, tenure, or other terms or conditions of employment.

(iv) discharge or discriminate against an employee because he has filed any affidavit, petition, or complaint or given any information or testimony under this act, or because he has formed, joined, or chosen to be represented by any labor organization or employee organization.

(v) refuse to meet and confer with representatives of recognized employee organizations as required in Section 6 of this act;

(vi) deny the rights accompanying certification or formal recognition granted in Section 7 of this act;

(vii) blacklist any employee organization or its members for the purpose of denying them employment;

(viii) avoid mediation and fact-finding endeavors as provided in Section 11 of this act; or

(ix) to institute or attempt to institute a lockout.

(c) It shall be a prohibited practice for public employees or employer organizations wilfully to:

(i) interfere with, restrain, or coerce public employees in the exercise of rights granted in Section 4 of this act;

(ii) interfere with, restrain, or coerce a public employer with respect to rights protected in Section 5 of this act or with respect to selecting a representative for the purposes of meeting and conferring on the adjustment of grievances;

(iii) refuse to meet and confer with a public employer as required in Section 6 of this act;

(iv) avoid mediation and fact-finding efforts as provided in Section 11 of this act; or

(v) engage in a strike.

(d) In applying this section, fundamental distinctions between private and public employment shall be recognized, and no body of federal or state law applicable, wholly or in part to the private employment, shall be regarded as binding or controlling precedent.

Section 13. Violations of prohibited practices.

(a) Any controversy concerning prohibited practices may be submitted to the board. Proceedings against the party alleged to have committed a prohibited practice shall be commenced by service upon it by the board of a written notice, together with a copy of the charges. The accused party shall have seven (7) days within which to serve a written answer to such charges. The board's hearing shall be held promptly thereafter and at such hearing, the parties shall be permitted to be represented by counsel and to summon witnesses in their behalf. The board may use its rule-making power, as provided in Section 3, to make any other procedural rules it deems necessary to carry on this function.

(b) The board shall state its findings of facts upon all the testimony and shall either dismiss the complaint or determine that a prohibited practice has been or is being committed. If the board finds that the party accused has committed or is committing a prohibited practice, the board shall petition the district court to punish such violation, and shall file in the court the record in the proceedings. Any person aggrieved by a final order of the board granting or denying in whole or in part the relief sought may obtain a review of such order in the district court by filing a complaint praying that the order of the board be modified or set aside, with copy of the complaint filed on the board, and thereupon the aggrieved party shall file in the court the record in the proceedings, certified by the board. Findings of the board as to the facts shall be conclusive unless it is made to appear to the satisfaction of the district court that the findings of fact were not supported by substantial evidence.

Section 14. Local public agency options. This act except for Sections 2, 3(e) (iii), 4, 5, 6, 7, 12 and 13 shall be inapplicable to any public employer, other than the state and its authorities, which, acting through its legislative body, has adopted by local law, ordinance, or resolution its own provisions and procedures which have been submitted to the board by such public employer and as to which there is in effect a determination

by the board that such provisions and procedures and the continuing implementation thereof do not derogate the rights granted under this act.

Section 15. Severability. It is the intent of the legislative assembly that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.”, and

As amended, do pass.

EAST, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Legislative Modernization, having had under consideration House Bill No. 484, respectfully report as follows: That House Bill No. 484 be amended

Darrow moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended in section 1, page 1, line 10 of the printed bill, after the word “The” by striking the following material: “[legislative standing committees of the senate and the house of representatives shall continue to]” and inserting in lieu thereof the following material: “house appropriations committee and senate committee on finance and claims and such other standing committees as activated by the legislative council”, and

Be further amended in section 1, page 1, line 15 of the printed bill, by striking the words “[president pro tempore]” and inserting in lieu thereof the words “majority leader”, and

Be further amended in section 2, page 1, line 17 of the printed bill, after the “2.” by striking the word “[The]” and inserting in lieu thereof the word “These”, and

Be further amended in section 2, page 1, line 19, after the word “necessary” by striking the following material: “[and the members shall receive their actual and necessary expenses when on committee business from appropriations made to the legislative council]”, and

Be further amended in section 3, page 1, line 23 of the printed bill, after the “3.” by striking the word “[The]” and inserting in lieu thereof the word “These”, and

Be further amended in section 4, page 1, lines 27 through 30, and page 2, lines 1 through 3, by striking the following material: “[The standing committees shall have all the legislative powers and duties during the interim as they have while in session including, but not limited to, powers to investigate and examine; powers of subpoena, hearings, oaths, production of witnesses and production of records and documents; and powers to compel obedience by contempt proceedings.]” and inserting in lieu thereof the following material: “In the discharge of their duties, these standing committees shall have authority to hold hearings, administer oaths, issue subpoenas, compel the attendance of witnesses, and the production of any papers, books, accounts, documents and testimony, and to cause depositions of witnesses to be taken in the manner prescribed by law for taking depositions in civil actions in the district court. In case of disobedience on the part of any person to comply with any subpoena issued on behalf of these standing committees, or of the refusal of any witness to testify on any matters regarding which he may be lawfully interrogated, it shall be the duty of the district court of any county or the judge thereof, on application of the committees, to compel obedience by proceedings for

contempt as in the case of disobedience of the requirements of a subpoena issued from such court on a refusal to testify therein.", and

(Material in brackets denotes cancelled type.)

as so amended, do pass.

DARROW, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Executive Reorganization, having had under consideration House Bill No. 322, respectfully report as follows: That House Bill No. 322 do not pass.

MATHER, Chairman

Mather moved for adoption of the committee report.

As a substitute motion, Bardanouve moved that House Bill No. 322 be placed on Second Reading. Motion failed.

Thereupon the committee report was adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 361, respectfully report as follows: That House Bill No. 361 do pass.

WOLF, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 be amended

Cox moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, following line 8, through and including page 14, line 8 by striking the material therein in its entirety and inserting in lieu thereof the following material:

Section 1. It is hereby declared as a matter of state policy that:

(1) Sound urban development of this state is essential to this state;

(2) Municipalities are created to provide the governmental services essential for sound urban development and for the protection of health, safety and welfare in areas being intensively used for residential, commercial, industrial, institutional and governmental purposes or in areas undergoing such development;

(3) Municipal boundaries should be extended, in accordance with legislative standards applicable throughout the state, to include such areas and to provide the high quality of governmental services needed therein for the public health, safety, and welfare;

(4) Areas annexed to municipalities in accordance with such uniform legislative standards should receive the services provided by the annexing municipality as soon as possible following annexation.

Section 2. The following terms where used in this act shall have the following meanings, except where the context clearly indicates a different meaning:

(1) "Contiguous area" shall mean any area which, at the time annexation procedures are initiated, either abuts directly on the municipal bound-

ary or is separated from the municipal boundary by a street or street right-of-way, a creek or river, the right-of-way of a railroad or other public service corporation, lands owned by the city or some other political subdivision, or lands owned by the state.

(2) "Used for residential purposes" shall mean any lot or tract five (5) acres or less in size on which is constructed a habitable dwelling unit.

Section 3. The governing board of any municipality may extend the corporate limits of such municipality under the procedures set forth in this act.

Section 4. A municipality exercising authority under this act shall make plans for the extension of services to the area proposed to be annexed and shall, prior to the public hearing provided for in section 7 of this act, prepare a report setting forth such plans to provide services to such area. The report shall include:

(1) A map or maps of the municipality and adjacent territory to show the following information:

(i) The present and proposed boundaries of the municipality.

(ii) The present streets, major trunk water mains, sewer interceptors and outfalls and other utility lines, and the proposed extensions of such streets and utility lines as required in paragraph (3) of this section.

(iii) The general land use pattern in the areas to be annexed and proposed and existing zoning where it is available.

(2) A statement setting forth the plans of the municipality for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation. Specifically, such plans shall:

(i) provide for extending police protection, fire protection, garbage collection, and streets and street maintenance services to the area to be annexed on the date of annexation on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to annexation.

(ii) Provide for extension of streets and of major trunk water mains, sewer outfall lines, and other utility services into the area to be annexed, so that when such streets and utility lines are constructed, property owners in the area to be annexed will be able to secure such services, according to the policies in effect in such municipality for extending such services to individual lots or subdivisions.

(iii) If extension of streets and water, sewer or other utility lines into the area to be annexed is necessary, set forth a proposed timetable for construction of such streets and utility lines as soon as possible following the effective date of annexation. In any event, the plans shall call for contracts to be let and construction to begin within twenty-four (24) months following the effective date of annexation.

(iv) Set forth the method under which the municipality plans to finance extension of services into the area to be annexed.

Section 5. An area may be annexed if it meets the following conditions:

(1) It must be adjacent or contiguous to the municipality's boundaries at the time the annexation proceeding is begun with at least one-eighth of the aggregate external boundaries of the area coinciding with the municipal boundary.

(2) No part of the area shall be included within the boundary of another incorporated municipality.

(3) Has a total resident population equal to at least two persons for each acre of land included within its boundaries; or has a total resident population equal to at least one person for each acre of land included within its boundaries, and is subdivided into lots and tracts such that at least sixty percent (60%) of the total acreage consists of lots and tracts five (5) acres or less in size.

(4) Lies between the municipal boundary and an area developed for urban purposes so that the area developed for urban purposes is either not adjacent to the municipal boundary or cannot be served by the municipality without extending services and/or utility lines through such sparsely developed area.

Section 6. In fixing new municipal boundaries, a municipal governing board shall, wherever practical, use natural topographic features, such as ridge lines and streams and creeks as boundaries, and if a street is used as a boundary, include within the municipality land on both sides of the street and such outside boundary may not extend more than two hundred (200) feet beyond the right-of-way of the street.

Section 7. (a) Any municipal governing board desiring to annex territory under the provisions of this act shall first pass a resolution stating the intent of the municipality to consider annexation. Such resolution shall describe the boundaries of the area under consideration and fix a date for a public hearing on the question of annexation, the date for such public hearing to be not less than thirty (30) days and not more than sixty (60) days following passage of the resolution.

(b) The notice of public hearing shall:

(1) Fix the date, hour and place of the public hearing;

(2) Describe clearly the boundaries of the area under consideration;

(3) State that the report required in section 4 of this act will be available at the office of the municipal official at least fourteen (14) days prior to the date of the public hearing.

Such notice shall be given by publication in a newspaper having general circulation in the municipality once a week for at least four (4) successive weeks prior to the date of the hearing. The period from the date of the first publication to the date of the last publication, both dates inclusive, shall be not less than twenty-two (22) days including Sundays, and the date of the last publication shall be not more than seven (7) days preceding the date of public hearing. If there be no such newspaper, the municipality shall post the notice in at least five (5) public places within the municipality and at least five (5) public places in the area to be annexed for thirty (30) days prior to the date of public hearing.

(c) At least fourteen (14) days before the date of the public hearing, the governing board shall approve the report provided for in section 4 of this act, and shall make it available to the public at the office of the municipal official. In addition, the municipality may prepare a summary of the full report for public distribution.

(d) At the public hearing, a representative of the municipality shall first make an explanation of the report required in section 4 of this act. Following such explanation, all persons resident or owning property in the territory described in the notice of public hearing, and all residents of the municipality, shall be given an equal opportunity to be heard.

Section 8. The municipal governing board shall take into consideration facts presented at the public hearing and shall have authority to amend the report required by section 4 of this act, to make changes in the plans for serving the area proposed to be annexed so long as such changes meet the requirements of section 4. At any regular or special meeting held no

sooner than seven (7) days following the public hearing and no later than thirty (30) days following such public hearing, the governing board shall have authority to adopt an ordinance extending the corporate limits of the municipality to include all, or such part of the area described in the notice of public hearing, and which the governing board has concluded should be annexed. The ordinance shall:

(1) Contain specific findings showing that the area to be annexed meets the requirements of this act. The external boundaries of the area to be annexed shall be described by metes and bounds. The governing board may refer to boundaries set forth on a map of the area and incorporate same by reference as a part of the ordinance.

(2) A statement of the intent of the municipality to provide services to the area being annexed including a method of financing as set forth in the report. If financing is required to pay for water, storm sewer, sanitary sewer, streets, curbs, sidewalks or other municipal improvement prior to annexation, the area to be annexed must finance the construction of same through a municipal improvement program, and the area to be annexed must either vote for or petition for said improvement.

(3) If the municipality cannot supply all the services or if the area to be annexed does not want or require all the services, namely, water, storm sewer, sanitary sewer, streets, curbs, sidewalks, it will require a petition of fifty-one percent (51%) to stop annexation, to be filed with the city clerk within the forty (40) days of the filing of the report for annexation as described under section 4.

(4) Under no circumstances may the area to be annexed be annexed if the city is unable to provide them with adequate water and sewer, or if in providing them with water and sewer it should deny another portion or portions of the city water and sewer.

(5) If improvements are required and if the municipalities annexing will not provide their installation at no cost to the area to be annexed, annexation may not take place until the day after the approval of a bond issue. The effective date of annexation may be fixed for any date within twenty-four (24) months from the date of passage of the ordinance.

(6) No property within the territory so annexed shall ever be taxed to pay any portion of any indebtedness of such municipality prior to or existing at the date of such annexation.

(7) From and after the effective date of the annexation ordinance, the territory and its citizens and property shall be subject to all laws, ordinances and regulations in force in such municipality and shall be entitled to the same privileges and benefits as other parts of such municipality. The newly annexed territory shall be subject to municipal taxes levied for the fiscal year following the effective date of annexation.

(8) No lands used for agricultural purposes shall be taken within the corporate limits and taxed to any greater rate than other similar agricultural land without the municipality, so long as it is ten (10) acres or more in size and being used for agricultural purposes with one thousand dollars (\$1,000) or more dollars income being derived from the sale of agricultural products taken from it.

(9) The municipality shall, for purposes of levying taxes for the fiscal year following the date of annexation, obtain from the county a record of property in the area being annexed. Taxation for the first year shall be prorated on a monthly basis from the date of annexation to the beginning of the municipality's fiscal year.

(10) Lands containing their own self contained fire services and sewage treatment facilities may not be annexed under this act.

Section 9. If a municipality is considering the annexation of two or more areas which are all adjacent to the municipal boundary but are not adjacent to one another, it may undertake simultaneous proceedings under authority of this act for the annexation of such areas.

Section 10. If, not earlier than one (1) year from the effective date of annexation, and not later than twenty-four (24) months from the effective date of annexation, any person owning property in the annexed territory shall believe that the municipality has not followed through on its service plans, adopted under the provisions of this act, such person may apply for a writ of mandamus. Relief may be granted by the district court:

(1) If the municipality has not provided the services set forth in its plan submitted under the provisions of this act in the same manner as such services were provided within the rest of the municipality prior to the effective date of annexation.

(2) If at the time the writ is sought such services set forth in the plan submitted under the provisions of this act are still being provided on substantially the same basis and in the same manner as on the date of annexation of the municipality.

(3) If the plans submitted under the provisions of this act require the construction of streets or utility services, and if contracts for such construction have not yet been let.

(4) If a writ is issued, costs in the action, including a reasonable attorney's fee for such aggrieved person, shall be charged to the municipality.

Section 11. (a) Within thirty (30) days following the passage of an annexation ordinance under authority of this act, any person owning property in the annexed territory who shall believe that he will suffer material injury, by reason of the failure of the municipal governing board to comply with the procedure set forth in this act or to meet the requirements set forth in this act as they apply to his property, may file a petition in the district court of the county in which the municipality is located, seeking review of the action of the governing board.

(b) Such petition shall explicitly state what exceptions are taken to the action of the governing board and what relief the petitioner seeks. Within five (5) days after the petition is filed with the court, the person seeking review shall serve copies of the petition by registered mail, return receipt requested upon the municipality.

(c) Within fifteen (15) days after receipt of the copy of the petition for review, or within such additional time as the court may allow, the municipality shall transmit to the reviewing court:

(1) a transcript of the portions of the municipal journal or minute book in which the procedure for annexation has been set forth; and

(2) a copy of the report setting forth the plans for extending services to the annexed area as required in this act.

(d) If two or more petitions for review are submitted to the court, the court may consolidate all such petitions for review at a single hearing, and the municipality shall be required to submit only one set of minutes and one report as required in this act.

(e) At any time before or during the review proceeding, any petitioner or petitioners may apply to the reviewing court for an order staying the operation of the annexation ordinance pending the outcome of the review. The court may grant or deny the stay in its discretion upon such terms as it deems proper, and it may permit annexation of any part of the area described in the ordinance concerning which no question for review has been raised.

(f) The court shall fix the date for review of annexation proceedings under this act, which review date shall preferably be within thirty (30) days following the last day for receiving petitions to the end that review shall be expeditious and without unnecessary delays. The review shall be conducted by the court without a jury. The court may hear oral arguments and receive written briefs, and may take evidence intended to show either:

- (1) that the statutory procedure was not followed; or
- (2) that the provisions of section 4 were not met; or
- (3) that the provisions of this act have not been met.

(g) The court may affirm the action of the governing board without change, or it may:

(1) Remand the ordinance to the municipal governing board for further proceedings if procedural irregularities are found to have materially prejudiced the substantive rights of any of the petitioners.

(2) Remand the ordinance to the municipal governing board for amendment of the boundaries to conform to the provisions of this act if it finds that the provisions have not been met; but the court cannot remand the ordinance to the municipality, which was not included in the notice of public hearing and not provided for in plans for service.

(3) Remand the report to the municipal governing board for amendment of the plans for providing services to the end that the provisions of this act are satisfied. If any municipality shall fail to take action in accordance with the court's instructions upon remand within three (3) months from receipt of such instructions, the annexation proceeding shall be deemed null and void.

(h) Any party to the review proceedings, including the municipality, may appeal to the supreme court from the final judgment of the lower court under rules of procedure applicable in other civil cases. The appealing party may apply to the lower court for a stay in its final determination, or a stay of the annexation ordinance, whichever shall be appropriate, pending the outcome of the appeal to the higher court; provided, that the lower court may, with the agreement of the municipality, permit annexation to be effective with respect to any part of the area concerning which no appeal is being made and which can be incorporated into the city without regard to any part of the area concerning which an appeal is being made.

(i) If part or all of the area annexed under the terms of an annexation ordinance is the subject of an appeal to the lower or higher court on the effective date of the ordinance, then the ordinance shall be deemed amended to make the effective date with respect to such area the date of the final judgment of the lower or higher court, whichever is appropriate, or the date the municipal governing board completes the action to make the ordinance conform to the court's instructions in the event of remand.

Section 12. Whenever the limits of a municipality are enlarged in accordance with the provisions of this act, it shall be the duty of the mayor (or other appropriate official) of the municipality to cause an accurate map of such annexed territory, together with a copy of the ordinance duly certified, to be recorded in the office of the county official of the county or counties in which such territory is situated and in the office of the secretary of state or other appropriate state official.

Section 13. Municipalities initiating annexations under the provisions of this act are authorized to make expenditures for surveys required to describe the property under consideration, or for any other purpose necessary to plan for the study and/or annexation of unincorporated territory

adjacent to the municipality. In addition, following final passage of the annexation ordinance, the annexing municipality shall have authority to proceed with expenditures for construction of streets, utility lines and other capital facilities and for any other purpose calculated to bring services into the annexed area in a more effective and expeditious manner prior to the effective date of annexation.

Section 14. In determining population and degree of land subdivision for purposes of meeting the requirements of this act, the municipality shall use methods calculated to provide reasonably accurate results. In determining whether the standards of this act have been met or appear to the district court under this act, the reviewing court shall accept the estimates of the municipality:

(1) As to population, if the estimate is based on the number of dwelling units in the area, multiplied by the average family size in such area or in the township or townships of which such area is a part, as determined by the last preceding federal decennial census; or if it is based on a new enumeration carried out under reasonable rules and regulations by the annexing municipality; but the court shall not accept such estimates if the petitioners demonstrate that such estimates are in error in the amount of ten percent (10%) or more.

(2) As to total area if the estimate is based on an actual survey, or on county tax maps or records, or on aerial photographs, or on some other reasonably reliable map used for official purposes by a governmental agency, unless the petitioners on appeal demonstrate that such estimates are in error in the amount of five percent (5%) or more.

(3) As to degree of land subdivision, if the estimates are based on an actual survey, or on county tax maps or records, or on aerial photographs, or on some other reasonably reliable source, unless the petitioners on appeal show that such estimates are in error in the amount of five percent (5%) or more.

Section 15. It is the intent of the legislative assembly that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 16. This act is effective on its passage and approval.

Reported without recommendation.

COX, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 569, respectfully report as follows: That House Bill No. 569 do not pass.

COX, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 465, respectfully report as follows: That House Bill No. 465 do not pass.

COX, Chairman

Cox moved for adoption of the committee report.

As a substitute motion, Lynch moved that House Bill No. 465 do pass and be printed and placed on Second Reading, and requested that a roll call vote be taken, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Aspevig, Baeth, Bardanouve, Bennett, Bradley, Christiansen, Fasbender, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Healy, Hodges, Lanthorn, Lee, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, Quilici, Robbins, Shelden, Staigmiller, Swanberg, Towe, Weeding, Yardley, Zimmer, Zody. Total 35.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Brown, Burnett, Campbell, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Haines, Harrison, Hemstad, Himsl, Johnston, Keller, Kendall, Knudsen, Kolstad, Kvaalen, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Mr. Speaker. Total 59.

Absent or not voting: Brand, Clemow, Devine, Kosena, Laas, Lien, Prevost. Total 7.

Excused: Edland, Eggebrecht, Jackson. Total 3.

Committee report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 405, respectfully report as follows: That House Bill No. 405 do not pass.

COX, Chairman

Cox moved for adoption of the committee report.

As a substitute motion, Selstad moved that House Bill No. 405 be printed and placed on Second Reading. Motion failed.

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 295, respectfully report as follows: That House Bill No. 295 do not pass.

COX, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 423, respectfully report as follows: That House Bill No. 423 do not pass.

SCOTT, Chairman

Scott moved for adoption of the committee report.

As a substitute motion, Fagg moved that House Bill No. 423 be printed and placed on Second Reading. Motion carried.

February 9, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 be amended

Scott moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 4, after the word "entitled:" in the title, through and including line 12 on page 1, by striking the material contained therein in its entirety and inserting in lieu thereof the following material: "An act establishing minimum standards for employment as a law enforcement officer, for equipment and for procedures; requiring basic training for law enforcement officers appointed after July 1, 1971; providing for the approval of law enforcement training schools; providing for the appointment of a law enforcement standards advisory council; and providing for the administration of this act and adoption of necessary regulations.", and

Further amended on page 1, line 16 through and including line 14 on page 10, by striking the material contained therein in its entirety, and inserting in lieu thereof the following material:

"Section 1. The purposes of this act shall be to establish minimum standards for employment for law enforcement officers and their equipment, procedures and training, all in the interest of the public safety and welfare.

Section 2. The attorney general shall appoint a law enforcement standards advisory council to consist of no more than fifteen (15) members with whom he shall consult concerning the administration and purposes of this act. Members of this council shall include but not be limited to the following: (a) an incumbent chief of police recommended by the Montana chief of police association, (b) an incumbent sheriff recommended by the Montana sheriffs and peace officers association, (c) a deputy sheriff recommended by the Montana sheriffs and peace officers association, (d) a police officer recommended by the Montana police protective association, (e) a member to be recommended by the supervisor of the Montana highway patrol, (f) a member to be recommended by the state fish and game director.

Such council members shall serve at the pleasure of the attorney general.

Section 3. For the purposes of this act the term "law enforcement officer" shall mean the undersheriffs and deputy sheriffs of each county, the members of the police force of every city or town, the marshals of every town, state highway patrolmen, state fish and game wardens and all persons employed to police and enforce the law on the campuses of the public and private colleges and universities located in this state.

Section 4. The council shall meet at least four (4) times each year. At the first meeting of the council, it shall elect a chairman. Special meetings may be called by the chairman and shall be called by him at the request of the attorney general, or upon the written request of a majority of the members of the council. The council may establish its own requirements as to quorum, and its own procedures with respect to the conduct of its meetings and other affairs; provided, that all recommendations by the council to the attorney general pursuant to section 7 of this act shall require the affirmative vote of a majority of the members of the council.

Section 5. The members of the council shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their duties.

Section 6. Membership on the council does not constitute the holding of public office, and members of the council shall not be required to take and file oaths of office before serving on the council. The council shall not exercise any part of the sovereign power of the state.

No member of the council shall be disqualified from holding any public office or employment, nor shall he forfeit any such office or employment by reason of his appointment to the council, notwithstanding any general, special, or local law, ordinance or city charter to the contrary.

Section 7. The Montana Law Enforcement Standards Advisory Council shall recommend to the attorney general rules and regulations with respect to:

(1) Minimum standards of physical, educational, mental and moral fitness which shall govern the recruitment, selection and appointment of law enforcement officers.

(2) The approval, or revocation of approval, of law enforcement training schools administered by the state, county, municipal corporations, public school districts, vocational-technical school districts, and law enforcement zone schools.

(3) Minimum courses of study, attendance requirements, and equipment and facilities to be required at approved schools.

(4) Minimum qualifications for instructors at the approved schools.

(5) The requirements of minimum basic training which law enforcement officers appointed to probationary terms shall complete before being eligible for permanent appointment, and the time within which such basic training must be completed following such appointment to a probationary term.

(6) The requirements of minimum basic training which law enforcement officers not appointed for probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent appointment, and the time within which such basic training must be completed following such appointment on a non-permanent basis.

(7) Categories or classifications of advanced in-service training programs and minimum courses of study and attendance requirements with respect to such categories or classifications.

(8) Minimum standards for equipment, weaponry, vehicles, gear and other accessories purchased or used by law enforcement agencies.

(9) Minimum standards for record keeping and procedures.

Section 8. The attorney general, after consultation with the council, shall appoint an executive director who shall hold office at the pleasure of the attorney general. He shall perform such duties as may be assigned to him by the attorney general. The council may recommend to the attorney general that the executive director be assigned certain duties specified by the council. He shall receive compensation as fixed by the attorney general and reimbursement for expenses within the amounts available by appropriation. The executive director may, with the approval of the attorney general, appoint such officers, employees, agents and consultants as he may consider necessary, prescribe their duties, fix their compensation, and provide for reimbursement of their expenses within the amounts available therefor by appropriation.

Section 9. The council may in its discretion:

(1) Recommend studies, surveys, and reports to be made by the executive director regarding the carrying out of the objectives and purposes of this act;

(2) Visit and inspect any law enforcement training school approved by the executive director or for which application for such approval has been made;

(3) Make recommendations to the executive director, attorney general and the legislative assembly regarding carrying out of the purposes of this act;

(4) Perform such other acts as may be necessary or appropriate to carry out the powers and duties of the council as set forth in this act.

Section 10. The attorney general is hereby authorized to adopt and promulgate any or all of the rules and regulations recommended by the Montana Law Enforcement Standards Advisory Council to the attorney general pursuant to Section 7 of this act, and to revise or amend such recommended rules and regulations or to add new rules and regulations thereto. When the attorney general promulgates any rules or regulations, he shall transmit a certified copy thereof to the Secretary of State.

Section 11. The executive director shall have the following duties, to be exercised as directed by the attorney general:

(1) To approve law enforcement officer training schools administered by state, county, municipal corporations, public school districts, vocational-technical school districts, private institutions and law enforcement zone schools, hereinafter referred to as "law enforcement schools";

(2) To certify, as qualified, instructors at approved law enforcement officer training schools and to issue appropriate certificates to such instructors.

(3) To certify law enforcement officers who have satisfactorily completed basic training programs, and to issue appropriate certificates to such law enforcement officers;

(4) To cause studies and surveys to be made relating to the establishment, operation, and approval of law enforcement schools;

(5) To consult and cooperate with law enforcement schools for the development of advanced in-service training programs for law enforcement officers;

(6) To consult and cooperate with universities, colleges, and institutes for the development of specialized courses of study in the state for law enforcement officers in police science and police administration;

(7) To consult and cooperate with other departments and agencies of the state and federal government concerned with law enforcement officer training;

(8) To perform such other acts as may be necessary or appropriate to carry out his powers and duties as set forth in this act; and

(9) To report to the council at each regular meeting of the council and at such other times as the council may require.

Section 12. Nothing in Sections 1 through 13, inclusive, of this act shall be construed to except any law enforcement officer, or other officer or employee from the provisions of the Montana Metropolitan Police Act, Sections 11-1801 through 11-1837, R.C.M., 1947, or the Sheriff's Deputies Qualifying Act, Sections 16-3705, R.C.M., 1947.

Section 13. Notwithstanding any general, special, or local law or charter to the contrary, no person shall, after July 1, 1971, receive an original appointment on a permanent basis as a law enforcement officer as defined in Section 3 of this act, unless such person has previously been awarded a certificate by the attorney general and the executive director attesting to his satisfactory completion of an approved state, county, or municipal police basic training program; and every person who is appointed on a temporary basis or for a probationary term or on other than a permanent basis as a law enforcement officer as defined

in Section 3 of this act, shall forfeit his position as such unless he previously has satisfactorily completed, or within the time prescribed by regulations promulgated by the attorney general, satisfactorily completes an approved basic training program at a law enforcement school and is awarded a certificate by the attorney general and the executive director attesting thereto.

Section 14. There is hereby created in the state treasury a law enforcement officers training account in the earmarked revenue funds, from which the legislature shall appropriate such sums as are considered necessary to accomplish the purposes of this act.

Section 15. Any amounts appropriated by the legislature shall be paid by the state treasurer in accordance with the accounting laws of the state upon certification of the executive director for the purpose of reimbursing any state department, county, city, municipal corporation, college or university in an amount not to exceed one-half ($\frac{1}{2}$) of the salary paid to each law enforcement officer meeting the recruitment standards and participating in training meeting the standards established pursuant to this act, plus one-half ($\frac{1}{2}$) of the necessary living expenses incurred by such officer which are necessitated by training requiring that he be away from his residence overnight.

If the monies appropriated by the legislature for such salary and expense reimbursement are insufficient to pay such amount to each participating state department, county, city, municipal corporation, college or university, the amount paid to each shall be reduced proportionately. In no event shall any payment be made to any state department, county, city, municipal corporation, college or university which has not adhered to the standards established by the attorney general as applicable to personnel recruited or trained by such state department, county, city, municipal corporation, college or university during the period for which reimbursement is sought.

Section 16. Any state department, county, city, municipal corporation, college or university which desires to receive aid pursuant to this act shall make application to the attorney general for such aid. The application must be accompanied by a certified copy of a law, ordinance or resolution adopted by its governing body providing that while receiving any aid pursuant to this act, the state department, county, city, municipal corporation, college or university will adhere to the standards established by the attorney general. The application shall contain such information as the attorney general may request."

(Material in brackets denotes canceled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 15, respectfully report as follows: That House Bill No. 15 be amended

Scott moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 8 of the Title after the word "levied" by adding the new material "and other evidence of indebtedness", and

Further amended on page 1, line 10 of the Title after the word "and" by striking the material "[75-3904]" and inserting in lieu thereof the new material "75-7107", and

Further amended on page 1, line 9, in the Title of the original bill, after the figures "11-2304," by adding the figures "11-2404," and

Further amended on page 5, line 18, of the original bill, by inserting and adding a new section numbered "7" which reads as follows:

"Section 7. Section 11-2404, R.C.M., 1947, is amended to read as follows: "11-2404. The acquisition, purchase, construction, reconstruction, improvement, betterment or extension of any undertaking may be authorized under this chapter, and bonds may be authorized to be issued under this chapter by resolution or resolutions of the governing body of the municipality, when authorized by a majority of the taxpayers voting upon such question at a special election noticed and conducted as provided in Sections 11-2308 to 11-2310, inclusive, and said special election shall be held not later than the next municipal election held after the council or governing body of the municipality has by resolution or resolutions approved the acquisition, purchase, construction, reconstruction, improvement, betterment or extension of any undertaking as in this chapter provided and ordered said special election; provided, that the issuance of refunding revenue bonds may be authorized by resolution or resolutions of the governing body of the municipality without an election.

Said bonds shall bear interest at such rate or rates not exceeding [six] ten per centum ([6] 10%) per annum, payable semiannually, may be in one or more series, may bear such date or dates, may mature at such time or times not exceeding forty (40) years from their respective dates, may be payable in such place or places, may carry such registration privileges, may be subject to such terms of redemption, may be executed in such manner, may contain such terms, covenants and conditions, and may be in such form, either coupon or registered, as such resolution or subsequent resolutions may provide. Said bonds shall be sold at not less than par. Said bonds may be sold at private sale to the United States of America or any agency, instrumentality or corporation thereof. Unless sold to the United States of America or agency, instrumentality or corporation thereof, said bonds shall be sold at public sale after notice of such sale published once at least five (5) days prior to such sale in a newspaper circulating in the municipality and in a financial newspaper published in the city of New York, New York, or the city of Chicago, Illinois, or the city of San Francisco, California, except that, in the event the bond issue is in an amount of less than one hundred fifty thousand dollars (\$150,000), the bond issue shall be advertised at least five (5) days prior to such sale in daily newspapers circulating in Montana cities of 10,000 population or over, in lieu of advertising in a financial newspaper in New York, Chicago, or San Francisco, and also in a newspaper as specified in Section 16-1201 if that newspaper is different from the daily newspapers circulating in Montana cities of 10,000 population or over. Pending the preparation of the definitive bonds, interim receipts or certificates in such form and with such provisions as the governing body may determine may be issued to the purchaser or purchasers of bonds sold pursuant to this chapter. Said bonds and interim receipts or certificates shall be fully negotiable, as provided by the Uniform Commercial Code—Investment Securities."

Be further amended on page 5, line 18, of the original bill, by deleting after the word "section" the numeral "[7]", and placing in lieu thereof the numeral "8".

(Material in brackets denotes canceled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 475, respectfully report as follows: That House Bill No. 475 be amended

Scott moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 12, in the Title of the original bill, after the word "sections" by inserting the figures "1-804,"

Be further amended on page 1, line 13, in the Title of the original bill, after the figures "11-2217," by inserting the figures "11-2271," and after the figures "11-2404," by inserting the figures "11-3906,"

Be further amended on page 3, Section 23-2702, line 25 of the original bill, by deleting the words "All existing statutes or parts thereof prescribing any qualification of electors to vote upon the creation of a public debt or liability except such qualifications as are validly required by or pursuant to Article IX of the Montana Constitution are repealed." and substitute in lieu thereof the following: "Every person possessing the qualifications validly required by Section 23-2701 and by Article IX of the Constitution is entitled to vote at any election of the state and of any county, city, town, school district and other political subdivision upon creation of a public debt or liability."

Be further amended on page 12, Section 11-2404, line 15 of the original bill by deleting the word "[taxpayers]".

Be further amended on page 18, line 8 by inserting and adding a new section numbered "20" which reads as follows:

"Section 20. Section 1-804, R.C.M., 1947, is amended to read as follows: "1-804. For the purpose of establishing, constructing, equipping, maintaining and operating airports and landing fields under the provisions of this act the county commissioners or the city or town council may each year assess and levy in addition to the annual levy for general administrative purposes, a tax of not to exceed two (2) mills on the dollar of taxable value of the property or said county, city or town. In the event of a jointly established airport or landing field, the county commissioners and the council or councils involved shall determine in advance the levy necessary for such purposes and the proportion each political subdivision joining in the venture shall pay, based upon the benefits it is determined each shall derive from the project. Provided, that if it be found that the levy hereby authorized will be insufficient for the purposes herein enumerated, the commissioners and councils acting are hereby authorized and empowered to contract an indebtedness on behalf of such county, city or town, as the case may be, upon the credit thereof by borrowing money or issuing bonds for such purposes, provided that no money may be borrowed and no bonds may be issued for such purpose until the proposition has been submitted to the [taxpayers affected thereby] qualified electors, and a majority vote to be cast therefor, except that for the purpose of establishing a reserve fund to resurface, overlay, or improve existing runways, taxiways and ramps, said governing bodies may set up annual reserve funds in their annual budget, provided said reserve is approved by the governing bodies during the normal budgeting procedure. Provided further that the necessity to resurface or improve said runways by overlays or similar methods every so many years is based upon competent engineering estimates, and provided that said funds are expended at least within each ten (10) year period. Said fund shall not exceed at any time a competent engineering estimate of the cost of resurfacing or overlaying the existing runways, taxiways and ramps, of any one airport for each said fund. The governing body of said airport, if in its judgment deems it advantageous, may invest the fund in any interest-bearing deposits in a

state or national bank insured by the F.D.I.C. or obligations of the United States of America, either short-term or long-term. Interest earned from such investments shall be credited to the operations and maintenance budget of said airport governing body. The above provisions, notwithstanding other budget control measures, and due to the uniqueness of the subject matter, are hereby declared necessary in the interests of public health and safety."

Be further amended on page 18, line 8 of the original bill, by inserting and adding a new section numbered "21" which reads as follows:

"Section 21. Section 11-2271, R.C.M., 1947, is amended to read as follows:

"11-2271. (1) Whenever any special improvement district bond or warrant, or any interest thereon, shall be at the time of the passage of this act, or shall thereafter become due and payable, and there shall then be either no money or not sufficient money in the appropriate district fund with which to pay the same, an amount sufficient to make up the deficiency may, by order of the council, be loaned by the revolving fund to such district fund, and thereupon such bond or warrant or such interest thereon, or in case of such bonds or warrants due at the time of the passage of this act, such part of the amount due on such bond or warrant, whether it be for principal or for interest or for both as the council may in its discretion elect or determine shall be paid from the money so loaned or from the money so loaned when added to such insufficient amount, as the case may require; [provided, however, that the above provisions of Sections 11-2269, 11-2270 and 11-2271 of this code shall not apply to any district or districts heretofore created, unless and until, at an election, either the regular annual municipal election or a special election called by the council, a majority of the electors whose names appear as the owners of property in the city or town on the last completed tax roll of the county in which the city or town is situated, shall authorize the city or town council to proceed thereunder, such election to be called and conducted in the manner and under such regulations as the council may provide. At such election no person other than such qualified elector and taxpayer shall vote on said question, and a majority of those voting thereat shall be sufficient to determine, and shall determine, the question whether the council be authorized or not to proceed under Sections 11-2269, 11-2270 and 11-2271 of this code.]

(2) In connection with any public offering of special improvement district bonds or warrants, the city or town council may undertake and agree to issue orders annually authorizing loans or advances from the revolving fund to the district fund involved in amounts sufficient to make good any deficiency in the bond and interest accounts thereof to the extent that funds are available, and may further undertake and agree to provide funds for such revolving fund pursuant to the provisions of Section 11-2270 by annually making such tax levy (or, in lieu thereof, such loan from the general fund) as the city or town council may so agree to and undertake, subject to the maximum limitations imposed by said Section 11-2270, which said undertakings and agreements shall be binding upon said city or town so long as any of said special improvement district bonds or warrants so offered, or any interest thereon, remain unpaid."

Be further amended on page 18, line 8 of the original bill, by inserting and adding a new section numbered "22" which reads as follows:

"Section 22. Section 11-3906, R.C.M., 1947, is amended to read as follows:

"11-3906. (a) A municipality shall not approve an urban renewal project for an urban renewal area unless the local governing body has, by resolution, determined such area to be a blighted area and designated such area as appropriate for an urban renewal project. The local governing body shall not approve an urban renewal plan until a comprehensive

plan or parts of such plan for an area which would include an urban renewal area for the municipality have been prepared. For this purpose, and other municipal purposes, authority is hereby vested in every municipality to prepare, to adopt, and to revise from time to time, a comprehensive plan or parts thereof for the physical development of the municipality as a whole (giving due regard to the environs and metropolitan surroundings), to establish and maintain a planning commission for such purpose and related municipal planning activities, and to make available and to appropriate necessary funds therefor. A municipality shall not acquire real property for an urban renewal project unless the local governing body has approved the urban renewal project plan in accordance with subsection (d) hereof.

(b) The municipality may itself prepare or cause to be prepared an urban renewal plan, or any person or agency, public or private, may submit such a plan to the municipality. Prior to its approval of an urban renewal project, the local governing body shall submit such plan to the planning commission of the municipality for review and recommendations as to its conformity with the comprehensive plan or parts thereof for the development of the municipality as a whole. The planning commission shall submit its written recommendations with respect to the proposed urban renewal plan to the local governing body within sixty (60) days after receipt of it. Upon receipt of the recommendations of the planning commission, or if no recommendations are received within said sixty (60) days, then without such recommendations, the local governing body may proceed with the hearing on the proposed urban renewal project plan prescribed by subsection (c) hereof.

(c) The local governing body shall hold a public hearing on an urban renewal plan after public notice thereof. Such notice shall be given by publication once each week for two consecutive weeks not less than ten (10) nor more than thirty (30) days prior to the date of the hearing in a newspaper having a general circulation in the urban renewal area of the hearing in a newspaper having a general circulation in the urban renewal area of the municipality and by mailing a notice of such hearing not less than ten (10) days prior to the date of the hearing to the persons whose names appear on the county treasurer's tax roll as the owner or reputed owner of the property, at the address shown on the tax roll. The notice shall describe the time, date, place, and purpose of the hearing, shall generally identify the urban renewal area affected, and shall outline the general scope of the urban renewal plan under consideration.

(d) Following such hearing, the local governing body may approve an urban renewal project if it finds that (1) a workable and feasible plan exists for making available adequate housing for the persons who may be displaced by the project; (2) the urban renewal plan conforms to the comprehensive plan or parts thereof for the municipality as a whole; (3) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; and (4) that a sound and adequate financial program exists for the financing of said project.

Provided, that the local governing body must find the urban renewal project area to be blighted area as defined in section 11-3901.

(e) An urban renewal project plan may be modified at any time by the local governing body: Provided, that if modified after the lease or sale by the municipality of real property in the urban renewal project area, such modification shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest may be entitled to assert.

(f) Upon the approval of an urban renewal project by a municipality,

the provisions of the urban renewal plan with respect to the future use and building requirements applicable to the property covered by said plan shall be controlling with respect thereto.

(g) If the plan or any subsequent modification thereof involves financing by the issuance of general obligation bonds of the municipality as authorized in section 11-3913, subsection (c), or the financing of water or sewer improvements by the issuance of revenue bonds under the provisions of Title 11, chapter 24, or of sections 11-2217 to 11-2221, inclusive, the question of approving the plan and issuing such bonds shall be submitted to a vote of the [taxpayers] qualified electors of such municipality in accordance with the provisions of sections 11-2303 to 11-2310, inclusive, at the same election and shall be approved by a majority of those [taxpayers] qualified electors voting on such question. Aiding in the planning, undertaking or carrying out of an urban renewal project approved in accordance with this section shall be deemed a single purpose for the issuance of general obligation bonds, and the proceeds of such bonds authorized for any such project may be used to finance the exercise of any and all powers conferred upon the municipality by section 11-3907 which are necessary or proper to complete such project in accordance with the approved plan and any modification thereof duly adopted by the local governing body. Sections 11-2306 and 11-2307 shall not be applicable to the issuance of such bonds.

(h) The municipality may elect to undertake and carry out urban renewal activities on a yearly basis. In such event, the activities shall be included in the yearly budget of the municipality. Such activities need not be limited to contiguous areas; however, such activities shall be confined to the areas as outlined in the urban renewal plan as approved by the municipality in accordance with this act. The yearly activities shall constitute a part of the urban renewal plan and the municipality may elect to undertake certain yearly activities and total urban renewal projects simultaneously. The undertaking of urban renewal activities on a yearly basis shall be designated as a "neighborhood development program" and the financing of such activities shall be approved in accordance with section 11-3906, subsection (g)."

Be further amended on page 18, line 8 of the original bill, after the word "section" by deleting the numeral "20" and substituting the numeral "23".

And as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 be amended

Scott moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 8, in the title of the original bill, after the words "division of" by adding the words "law enforcement".

Be further amended on page 1, line 19, section 82-3907, of the original bill, after the words "division of" by adding the words "law enforcement".

Be further amended on page 1, line 21, Section 82-3907, of the original bill, after the word "statewide" by adding the words "law enforcement".

Be further amended on page 2, lines 5 and 6, Section 82-3908, of the original bill, by omitting the punctuation and words "[, in his discretion,]".

Be further amended on page 2, lines 18 and 19, Section 82-3909, of the original bill, by placing a "." after the word "director" on line 18, omitting the words "[appointed by the attorney general]", and placing in lieu thereof the phrase "The attorney general, after consultation with the council, shall appoint the director".

Be further amended on page 2, line 28, Section 82-3910, of the original bill, after the word "director" by adding the following phrase "after consultation with the council,".

Be further amended on page 3, line 7, Section 82-3910 (2), of the original bill, after the word "maintain" by adding the following phrase ", in cooperation with any state agency created for the purpose of establishing a statewide communications system,".

Be further amended on page 3, line 19, Section 82-3910 (3), of the original bill, after the phrase "if possible," by adding the phrase "until the establishment of the state agency referred to in subsection (2) above,".

Be further amended on page 3, line 23, Section 82-3910 (4), of the original bill, after the words "agency or commission" by adding the phrase ", as well as with the state agency referred to in subsection (2) above,".

Be further amended on page 3, line 28, Section 82-3910 (5), of the original bill, after the figure "(5)" by adding the phrase "In cooperation with the state agency referred to in subsection (2) above," and changing the word "Apply" to begin with a small letter as follows "apply".

Be further amended on page 4, line 9, of the original bill, after the word "Section" by deleting the figure "[6]" and placing in lieu thereof the figure "7".

Be further amended on page 4, line 9, of the original bill, by adding a new section to read as follows: "Section 6. There is added to Title 82, Chapter 39, R.C.M., 1947, a new section numbered 82-3912, which reads as follows:

"82-3912. Division to cooperate with other state agencies. The division of law enforcement communications and records shall cooperate with any state agency, created for the purpose of establishing a statewide communications system, to promote said purpose."

(Material in brackets denotes canceled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 384, respectfully report as follows: That House Bill No. 384 be amended

Scott moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Amend pages 1 through 10 by omitting all of the material following the enacting clause and by inserting in lieu thereof the following material:

"Section 1. (1) Definitions.

(a) The term "person" includes an individual, business association, partnership, corporation, or other legal entity, and an individual acting or purporting to act for or on behalf of any government or subdivision thereof.

(b) "Instrument" means any device designed or used for acoustical detection, including but not limited to wire-tapping equipment, micro-

phones, detectaphones, 'spike mikes,' 'dictaphones,' radio transmitters and recorders. But it does not mean hearing aids and similar devices used by persons afflicted with impaired hearing, for the purpose of overcoming the impairment to permit the hearing of sounds ordinarily audible to the human ear; nor does it mean any telephone or telegraph instrument, equipment, or facility, or any component thereof, (i) furnished to the subscriber or user by a communications common carrier in the ordinary course of its business and being used by the subscriber or user in the ordinary course of its business; or (ii) being used by a communication common carrier in the ordinary course of its business, or by a law enforcement officer in the ordinary course of his duties.

(c) The term "aggrieved person" means a person who was a party to any intercepted wire or oral communication or a person against whom the interception was directed.

(2) A person commits the offense of violating the privacy of communications if he knowingly or purposely:

(a) Communicates with a person, anonymously or otherwise, by telephone, or by telegraph, mail or any other form of written communication, and using profane language, suggesting any lewd and lascivious act, threatening damage to property or injury to persons, or making false statements concerning bodily harm or offensive conduct of the person communicated with or any member of his family; or

(b) Makes a telephone call, whether or not a conversation ensues, with no purpose of legitimate conversation; or

(c) Being entrusted as an employee of a telephone or telegraph company with the transmission or delivery of a telephone or telegraphic message, discloses the contents or meaning thereof to a person other than the intended receiver, or fails to deliver such message; or

(d) Opens any sealed letter, telegraph, or package addressed to another without the consent of either the sender or addressee or publishes the content thereof, knowing it to have been opened without the owner's consent; or

(e) Surreptitiously overhears, amplifies or records a private conversation by means of an instrument while not present during such conversation; or

(f) Overhears, amplifies or records a telephone, telegraph or other wire communication by means of an instrument while not being a sender or receiver of such communication;

(g) A person convicted of the offense of violating the privacy of communications shall be fined not to exceed five hundred dollars (\$500) or be imprisoned in the county jail for a term not to exceed six (6) months, or both.

(4) Violating the privacy of communications is not an offense under subparagraph (2) (e) or (f) if:

(a) The consent of one party to the conversation is obtained; or

(b) Conducted in a public institution, jail or prison; or

(c) An operator of a switchboard, or an officer, agent, or employee of a communication common carrier, whose facilities are used in the transmission of a wire communication, intercepts, discloses, or uses that communication, in the normal course of his employment while engaged in any activity which is a necessary incident to the rendering of his service or to the protection of the rights or property of the carrier of such communication, or to provide information, facilities, or technical assistance to an investigative or law enforcement officer who, under this section, is

authorized to intercept a wire or oral communication, but no communication common carrier shall utilize service observing or random monitoring except for mechanical or service quality control checks; or

(d) A justice of the supreme court or judge of a district court issues an order directed to law enforcement officers made upon application by the attorney general or a county attorney upon a showing that:

(i) There are reasonable grounds to believe that an offense involving a risk of serious bodily harm, bribery, extortion, influencing, threatening or injuring a public officer, juror or witness or illegal sale of dangerous drugs and punishable by imprisonment for more than one (1) year in the state prison has been committed; and

(ii) There are reasonable grounds to believe that evidence will be obtained essential to the solution of such offense or which may enable the prevention of such offense; and

(iii) There are no other means reasonably available for obtaining such information.

(5) Procedure for interception of wire or oral communications.

(a) Each application for an order authorizing or approving the interception of a wire or oral communication shall be made in writing upon oath or affirmation to a judge of the district court or a justice of the supreme court. Each application shall include the following information:

(i) The identity of the investigative or law enforcement officer making the application;

(ii) A full and complete statement of the facts and circumstances relied upon by the applicant, to justify his belief that an order should be issued, including (1) details as to the particular offense that has been, is being, or is about to be committed, (2) a particular description of the nature and location of the facilities from which or the place where the communication is to be intercepted, (3) a particular description of the type of communication sought to be intercepted, (4) the identity of the person, if known, committing the offense and whose communications are to be intercepted;

(iii) A full and complete statement as to whether other investigative procedures have been tried and failed or why they reasonably appear to be unlikely to succeed if tried or to be too dangerous;

(iv) A statement of the period of time for which the interception is required to be maintained. If the nature of the investigation is such that the authorization for interception should not automatically terminate when the described type of communication has been first obtained, a particular description of facts establishing probable cause to believe that additional communications of the same type will occur thereafter;

(v) A full and complete statement of the facts concerning all previous applications, known to the individual making the application, made to any judge for authorizations involving any of the same persons, facilities or places specified in the application, and the action taken by the judge on each such application; and

(vi) Where the application is for the extension of an order, a statement setting forth the results thus far obtained from the interceptions, or a reasonable explanation of the failure to obtain such results.

(b) The judge may require the applicant to furnish additional testimony or documentary evidence in support of the application.

(c) Upon such application the judge may enter an ex parte order, as requested or as modified, authorizing interception of wire or oral com-

munications within the territorial jurisdiction of the court in which the judge is sitting if the judge determines on the basis of the facts submitted by the applicant that:

(i) There is a probable cause for belief that an individual is committing, has committed, or is about to commit a particular offense enumerated in (4) (c) (i) of this section;

(ii) There is probable cause for belief that particular communications concerning that offense will be obtained through such interception;

(iii) Normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried or to be too dangerous;

(iv) There is probable cause for belief that the facilities from which, or the place where, the wire or oral communications are to be intercepted are being used, or are about to be used, in connection with the commission of such offense.

(d) Each order authorizing the interception of any wire or oral communication shall specify:

(i) The identity of the person, if known, whose communications are to be intercepted;

(ii) The nature and location of the communications facilities as to which, or the place where, authority to intercept is granted;

(iii) A particular description of the type of communication sought to be intercepted, and a statement of the particular offense to which it related;

(iv) The identity of the agency authorized to intercept the communications, and of the judge authorizing the application; and

(v) The period of time during which such interception is authorized, including a statement as to whether or not the interception shall automatically terminate when the described communication has been first obtained.

(e) An order authorizing the interception of a wire or oral communication shall, upon request of the applicant, direct that a communication common carrier, landlord, custodian, or other person shall furnish the applicant forthwith all information, facilities, or technical assistance necessary to accomplish the interception unobtrusively and with a minimum of interference with the services that such carrier, landlord, custodian, or person is according the person whose communications are to be intercepted. Any communication common carrier, landlord, custodian, or other person furnishing such facilities or technical assistance shall be compensated therefor by the applicant at the prevailing rates.

(f) No order entered under this section may authorize or approve the interception of any wire or oral communication for any period longer than is necessary to achieve the objective of the authorization, nor in any event longer than thirty (30) days. Extensions may be granted, but only upon application for an extension made in accordance with subsection 5(a) of this section and the court making the findings required by subsection 5(c) of this section. The period of extension shall be no longer than the authorizing judge deems necessary to achieve the purposes for which it was granted and in no event for longer than thirty (30) days. Every order and extension thereof shall contain a provision that the authorization to intercept shall be executed as soon as practicable, shall be conducted in such a way as to minimize the interception of communications not otherwise subject to interception under this section, and must terminate upon attainment of the authorized objective, or in any event in thirty (30) days.

(g) Whenever an order authorizing interception is entered pursuant to this section, the order may require reports to be made to the judge who issued the order showing what progress has been made toward achievement of the authorized objective and the need for continued interception. Such reports shall be made at such intervals as the judge may require.

(h) The contents of any wire or oral communication intercepted by any means authorized by this section shall, if possible, be recorded on tape or wire or other comparable device. The recording of the contents of any wire or oral communication under this subsection shall be done in such way as will protect the recording from editing or other alterations. Immediately upon the expiration of the period of the order, or extension thereof, such recordings shall be made available to the judge issuing such order and sealed under his directions. Custody of the recordings shall be wherever the judge orders. They shall not be destroyed except upon an order of the issuing judge and in any event shall be kept for ten years. Duplicate recordings may be made.

(i) Applications made and orders granted under this section shall be sealed by the judge. Custody of the applications and orders shall be wherever the judge directs. Such applications and orders shall be disclosed only upon a showing of good cause before a judge of competent jurisdiction and shall not be destroyed except on order of the issuing judge, and in any event shall be kept for ten (10) years.

(j) Any violation of the provisions of this subsection may be punished as contempt of court by the issuing judge.

(k) Within a reasonable time but not later than ninety (90) days after the termination of the period of an order or extension thereof, the issuing judge shall cause to be served, on the persons named in the order or the application, and such other parties to intercepted communications as the judge may determine in his discretion that is in the interest of justice, an inventory which shall include notice of:

(i) The fact of the entry of the order or the application;

(ii) The date of the entry and the period of authorized interception; and

(iii) The fact that during the period wire or oral communications were or were not intercepted.

(l) The judge, upon the filing of a motion, shall make available to such person or his counsel for inspection those portions of the intercepted communications, applications and order as relate to or might affect such person.

(m) The contents of any intercepted wire or oral communications or evidence derived therefrom shall not be received in evidence or otherwise disclosed in any trial, hearing, or other court proceedings unless each party, not less than ten days before the trial, hearing, or proceeding, has been furnished with a copy of the court order, and accompanying applications, under which the interception was authorized or approved.

(n) Any aggrieved person in any trial, hearing, or proceeding in or before any court of this state may move to suppress the contents of any intercepted wire or oral communication, or evidence derived therefrom on the grounds that:

(i) The communication was unlawfully intercepted;

(ii) The order of authorization under which it was intercepted is insufficient on its face; or

(iii) The interception was not made in conformity with the order of authorization.

(o) Such motion shall be made before the trial, hearing, or proceeding unless there was no opportunity to make such motion or the person was not aware of the grounds of the motion. If the motion is granted, the contents of the intercepted wire or oral communication, or evidence derived therefrom, shall be treated as having been obtained in violation of this section. The judge, upon the filing of such motion by the aggrieved person, shall make available to the aggrieved person or his counsel for inspection the intercepted communication or evidence derived therefrom.

(6) Except as proof in a prosecution for violation of this section, no evidence obtained in violation of this section shall be admissible in any judicial, administrative, legislative or other proceedings.

(7) Activity otherwise authorized under subparagraph (4) shall be prohibited by law enforcement officers or other public agents on a person in custody or on the premises of a public institution when the conversation is with his attorney, religious advisor, or licensed physician.

(8) A person who has in his possession any instrument or equipment under circumstances evincing the purpose to use or employ or allow the same to be used or employed for unlawful purposes under this section, or knowing the same to be so used, shall be fined not more than five hundred dollars (\$100) or be imprisoned for not more than six (6) months, or both; except it shall not be unlawful for:

(a) A communication common carrier or an officer, agent, or employee of, or a person under contract with a communication common carrier, in the usual course of the communication common carrier's business; or

(b) A person under contract with the government of the United States, a state or a political subdivision thereof, or the State of Montana, or an officer, agent, or employee of the government of the United States, a state or political subdivision thereof, or the State of Montana, to possess any instrument while acting in furtherance of the appropriate activities of the United States, a state or political subdivision thereof, the State of Montana or a communication common carrier.

(9) Any instrument or equipment manufactured, assembled, sold or possessed in violation of this section may be seized and forfeited to the State of Montana after notice, hearing, and judicial determination.

(10) (a) Any law enforcement officer who, by any authorized means and in conformity with this section, has obtained knowledge of the contents of any wire or oral communication, or evidence derived therefrom, may disclose or use such contents or evidence to the extent that such disclosure or use is appropriate to the proper performance of his official duties.

(b) Any person who, by any authorized means and in conformity with this section has obtained knowledge of the contents of any wire or oral communication intercepted in accordance with this section, or other lawful authority, or evidence derived therefrom, may disclose the contents of such communication or evidence while giving testimony under oath or affirmation in any criminal trial, hearing, or proceeding before any grand jury or court.

(c) The contents of any wire or oral communication intercepted in conformity with this section or evidence derived therefrom, may otherwise be disclosed or used only by court order upon a showing of good cause.

(11) (a) Within thirty (30) days after the expiration of an order or an extension under subsection 5, the issuing or denying court shall report to the chief justice of the Montana Supreme Court:

(i) That an order or extension was applied for;

(ii) The kind of order or extension applied for;

(iii) If the order or extension was granted as applied for, was modified, or was denied;

(iv) The period of the interceptions authorized by the order, and the number and duration of any extensions of the order;

(v) The offense specified in the order or application, or extension of an order;

(vi) The identity of the applying law enforcement officer, the agency making the application, and the person authorizing the application; and

(vii) The character and location of the facilities from which and the place where communications were (and were to be) intercepted.

(b) In January of each year the Montana attorney general shall report to the chief justice of the Montana Supreme Court:

(i) The information required by (i) through (vii) of paragraph (a) of this subsection with respect to each application for an order or extension made during the immediately preceding calendar year;

(ii) A general description of the interceptions made under such order or extension, including:

(A) The approximate character and frequency of incriminating communications intercepted;

(B) The approximate character and frequency of other communications intercepted;

(C) The approximate number of persons whose communications were intercepted; and

(D) The approximate character, amount, and cost of the manpower and other resources used in the interceptions;

(iii) The number of arrests resulting from interceptions made under such order or extension;

(iv) The offenses for which the arrests were made;

(v) The number of trials resulting from such interceptions;

(vi) The number of motions to suppress made with respect to such interceptions;

(vii) The number of motions to suppress granted or denied;

(viii) The number of convictions resulting from such interceptions;

(ix) The offenses for which the convictions were obtained;

(x) A general assessment of the importance of the interceptions; and

(xi) For purposes of comparison, the information required by paragraphs (ii) through (x) of this paragraph with respect to orders and extensions obtained in other preceding calendar years.

(c) Reports made pursuant to the section shall be made in accordance with regulations prescribed by the director of the administration office of the United States courts under Section 2519(3) of Title 18, United States Code.

(12) (a) Subsections 2, 3, 6, 7, and 8 of this section shall be construed to supplement, and not to supersede or otherwise limit, the provisions of Chapter 119 of Title 18, United States Code (relating to wire interception and interception of oral communications).

(b) Subsections 4 and 5 of this section shall be construed not to supersede or otherwise limit the provisions of Chapter 119 of Title 18, United States Code, except in cases of irreconcilable conflict.

Section 2. It is the intent of the legislative assembly that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 3. This act is effective on its passage and approval.

Section 4. Sections 94-3203, 94-3320, 94-3321, 94-3323, 94-35-220, 94-35-274, and 94-35-275, R.C.M., 1947, are repealed."

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 9, 1971

Honorable James P. Lucas
Speaker of the House
Honorable James T. Harrison, Jr.
Majority Leader of the House
Honorable Bill Christiansen
Minority Leader of the House
Capitol Building
Helena, Montana 59601

Gentlemen:

The final disposition of the proposed two per cent retail sales tax measure in the House of Representatives appears to me to have cleared the way for the 42nd Legislature to come to an early agreement on some form of equitable taxation to finance the needs of state government in the next biennium.

In my discussions with you and other leaders of both parties, it is apparent that my tax reform proposal—to eliminate the federal tax paid as a deduction on state taxes and to provide a \$20 tax credit in place of the \$600 dependent deduction—will not meet with favorable action in the House of Representatives. While I regret there has not been more positive response to this program, I do not propose to remain adamant in my recommendation.

It is my understanding that the Ways and Means Committee of the House of Representatives has before it revenue measures which can provide the Legislature with the means to finance government services adequately for the next two years.

I would hope that the leaders and the members of the majority and minority in the House of Representatives would resolve—now—to begin work on those revenue measures in order that the Senate may have adequate time to consider the legislation and that your obligation can be discharged by the 60th Legislative Day. Delay will only force the 42nd Assembly into an extraordinary session at considerable cost to the taxpayers.

I want you to know I am available, at any time, to discuss all important legislative matters with you.

I trust you will recognize that this letter is intended to effect a spirit

of cooperation and trust, not only between the executive and legislative branches of government, but between the members of both political parties.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

February 8, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 317, introduced by Gilfeather

Senate Bill No. 206, introduced by Sheehy, Hazelbaker

Senate Bill No. 148, introduced by McKeon

Senate Bill No. 207, introduced by Sheehy, Hazelbaker

Senate Bill No. 308, introduced by Dzivi, Sheehy

Senate Bill No. 248, introduced by Highways & Transportation Comm.

Senate Bill No. 208, introduced by Sheehy, Hazelbaker

Senate Bill No. 219, introduced by Rosell, et al

Senate Bill No. 192, introduced by Cotton

Senate Bill No. 329, introduced by Mackay, et al

Senate Bill No. 180, introduced by Bertsche, Cochrane

Senate Bill No. 296, introduced by Boylan, Hanks

Senate Bill No. 128, introduced by McGowan, Rugg

Senate Bill No. 189, introduced by Rehberg

Senate Bill No. 14, introduced by Goodheart, et al

Senate Bill No. 300, introduced by McDonald, Dzivi

Senate Bill No. 198, introduced by Turnage, Boylan

Senate Bill No. 65, introduced by Lowe, et al

Senate Bill No. 10, introduced by Groff, et al

Senate Bill No. 313, introduced by Rosell, et al

Senate Bill No. 231, introduced by Rehberg

Senate Bill No. 40, introduced by Stephens, et al

Senate Joint Resolution No. 18, introduced by Mathers, Mackay, Groff

Senate Joint Resolution No. 30, introduced by Rosell, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 8, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following bills, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 95, introduced by Bardanouve

House Bill No. 256, introduced by Gunderson, et al

House Bill No. 228, introduced by Warfield, Aspevig

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

The Speaker announced that House Bill No. 147 had not been immediately forwarded to the Senate upon its passage as required by the Legislative rules. Subsequent to its passage, but prior to its transmittal to the Senate, a motion to reconsider had been made and passed.

The Speaker therefore ruled that in accordance with said rules the bill would be considered as having been transmitted to the Senate and outside the control of the House of Representatives at the time the motion to reconsider was made. The bill is therefore in the Senate.

The Speaker further ruled that the motion to reconsider would be considered a motion to recall and would likewise be forwarded to the Senate. The Speaker further ruled that all motions concerning said House Bill No. 147 subsequent to the motion to reconsider (recall) were out of order.

The Speaker requested comments or objections upon his rulings. None appeared. The Speaker indicated that the matter would be handled accordingly.

REPORTS OF STANDING COMMITTEES

February 9, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 243, respectfully report as follows: That House Bill No. 243 be amended

Lundgren moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Amend lines 4 through 11 of the Title by striking all material contained in said lines and inserting in lieu thereof the following language:

“A bill for an act entitled: ‘An act requiring the licensing of persons engaged in mining exploration and related activities; requiring permits for the conduct of development, mining and related activities; providing for the reclamation of explored, developed, and mined land; providing for the administration and enforcement of said act by the Water Resources Board; and providing for an appeal procedure.’”, and

Be further amended on page 1, line 15 and through and including page 21, line 25 by striking all material contained in said lines and inserting in lieu thereof the following material:

Section 1. The extraction of mineral by mining is a basic and essential activity making an important contribution to the economy of the state and

the nation. At the same time, proper reclamation of mined land and former exploration areas not brought to mining stage is necessary to prevent undesirable land and surface water conditions detrimental to the general welfare, health, safety ecology, and property rights of the citizens of the state. Mining and exploration for minerals takes place in diverse areas where geological, topographical, climatic, biological and sociological conditions are significantly different, and reclamation specifications must vary accordingly. It is not practical to extract minerals or explore for minerals required by our society without disturbing the surface or subsurface of the earth and without producing waste materials, and the very character of many types of mining operations precludes complete restoration of the land to its original condition. The legislature finds that land reclamation as provided in this act will allow exploration for and mining of valuable minerals while adequately providing for the subsequent beneficial use of the lands to be reclaimed.

Section 2. The purposes of this act are to provide: (i) that the usefulness, productivity and scenic values of all lands and surface waters involved in mining and mining exploration within the boundaries and lawful jurisdiction of the state will receive the greatest reasonable degree of protection and reclamation to beneficial use; (ii) authority for cooperation between private and governmental entities in carrying this act into effect; (iii) for the recognition of the recreational and aesthetic values of land as a benefit to the State of Montana; and (iv) priorities and values to the aesthetics of our landscape, waters and ground cover. Although both the need for and practicability of reclamation will control the type and degree of reclamation in any specific instance, the basic objective will be to establish, on a continuing basis, the vegetative cover, soil stability, water condition and safety condition appropriate to any proposed subsequent use of the area.

Section 3. As used in this act, unless the context indicates otherwise: (1) "Surface mining" shall mean and include all or any part of the process involved in mining of minerals by removing the overburden and mining directly from the mineral deposits thereby exposed, including, but not limited to, open-pit mining of minerals naturally exposed at the surface of the earth, mining by the auger method, and any and all similar methods by which earth or minerals exposed at the surface are removed in the course of mining. Surface mining shall not include the extraction of oil, gas, bentonite, clay, coal, sand, gravel, phosphate rock, or uranium nor excavation or grading conducted for on-site farming, on-site road construction, or other on-site building construction.

(2) "Unit of surface mined area" shall mean and include that area of land and surface water included within an operating permit actually disturbed by surface mining during each twelve-month period of time, beginning at the date of the issuance of the permit, and shall comprise and include the area from which overburden and/or minerals have been removed, the area covered by mining debris, and all additional areas used in surface mining or underground mining operations which, by virtue of such use, are thereafter susceptible to erosion in excess of the surrounding undisturbed portions of land.

(3) "Disturbed land" shall mean and include that area of land or surface water disturbed, beginning at the date of the issuance of the permit, and shall comprise that area from which the overburden, and/or minerals have been removed; tailings ponds, waste dumps, roads, conveyor systems, leach dumps, and all similar excavations or covering resulting from said operation and which has not been previously reclaimed under the reclamation plan.

(4) "Abandonment of surface or underground mining" may be presumed when it is shown that continued operation will not resume.

(5) "Underground mining" shall mean and include all methods of mining other than surface mining.

(6) "Person" shall mean and include any person, corporation, firm, association, partnership or other legal entity engaged in exploration for or development or mining of minerals on or below the surface of the earth.

(7) "Mineral" shall mean and include any ore, rock or substance, other than oil, gas, bentonite, clay, coal, sand, gravel, phosphate rock or uranium, taken from below the surface or from the surface of the earth for the purpose of milling, concentration, refinement, smelting, manufacturing, or other subsequent use or processing or for stockpiling for future usage, refinement or smelting.

(8) "Exploration" shall mean and include all activities conducted on or beneath the surface of lands resulting in material disturbance of the surface for the purpose of determining the presence, location, extent, depth, grade, and economic viability of mineralization in those lands, if any, other than mining for production and economic exploitation, as well as all roads made for the purpose of facilitating exploration.

(9) "Development" shall mean and include all operations between exploration and mining.

(10) "Mining" shall be deemed to have commenced at such time as the operator shall first mine ores or minerals in commercial quantities for sale, beneficiation, refining, or other processing or disposition or shall first take bulk samples for metallurgical testing in excess of aggregate of ten thousand (10,000) short tons.

(11) "Reclamation plan" shall mean and include the operator's written proposal, as required and approved by the board for reclamation of the land that will be disturbed, which proposal shall include to the extent practical at the time of application for a developing or operating permit: (a) a statement of the proposed subsequent use of the land after reclamation;

(b) Plans for surface gradient restoration to a surface suitable for the proposed subsequent use of the land after reclamation is completed, and proposed method of accomplishment;

(c) Manner and type of revegetation or other surface treatment of disturbed areas;

(d) Procedures proposed to avoid foreseeable situations of public nuisance, endangerment of public safety, damage to human life or property, or unnecessary damage to flora and fauna in or adjacent to the area;

(e) Method of disposal of mining debris;

(f) Method of diverting surface waters around the disturbed areas where necessary to prevent pollution of such waters or unnecessary erosion;

(g) Method of reclamation of stream channels and stream banks to control erosion, siltation, and pollution;

(h) Such maps and other supporting documents as may be reasonably required by the director;

(i) A time schedule for reclamation that meets the requirements of Section 9 of this act.

(12) "Vegetative cover" as used in this act shall mean the type of vegetation, grass, shrubs, trees, or any other form of natural cover deemed suitable at time of reclamation.

(13) "Board" shall mean the Montana Water Resources Board, or such state employee or state agency as may succeed to its powers and duties under this act.

(14) "Director" shall mean the director of the Montana Water Resources Board.

Section 4. The board is charged with the responsibility of administering this act. In order to implement its terms and provisions, the board shall from time to time promulgate such rules and regulations as the board shall deem necessary. The board may delegate such powers, duties and functions to its director and staff members as it deems necessary for the performance of its duties as administrator of this act. The board shall employ experienced, qualified persons in the field of mined land reclamation, who for the purpose of this act are hereinafter referred to as supervisors.

Section 5. The board shall have the authority to conduct or authorize investigations, research, experiments and demonstrations in reclamation and to collect and disseminate non-confidential information relating to mining.

Section 6. The board shall cooperate with other governmental and private agencies in this state and other states and agencies of the federal government, and may reasonably compensate them for any services the board requests that they provide. The board may receive federal funds, state funds, and any other funds and, within the limits imposed by the grant, expend them for reclamation of land affected by mining or exploration and for purposes enumerated in Section 9 of this act.

Section 7. (1) Effective sixty (60) days after the date on which the board shall first promulgate its regulations as authorized by Section 4 of this act, no person shall engage in exploration or development in the state without first obtaining an exploration license or development permit from the board to do so, such license or permit to be issued for a period of one (1) year from date of issue and to be renewable from year to year on application therefor filed at any time within thirty (30) days next preceding the expiration of the current license or permit and payment of like fee as required for a new license or permit; provided that the applicant for renewal is not then held by the board to be in violation of any provision of this law.

(2) An exploration license shall be issued to any applicant therefor who shall: (i) pay a fee of five dollars (\$5) to the board; (ii) agree to reclaim any surface area damaged by the applicant during exploration operations, all as may be reasonably required by the board, unless the applicant shall have applied for and been issued a development or operating permit for he lands so damaged; and (iii) not be in default of any other reclamation obligation under this law.

(a) Except as hereafter provided, the holder of such licenses shall not be compelled to disclose the area of his exploration operations, except where charged with a delinquency in performing reclamation obligations hereunder.

(b) Upon filing of any certificate of claim location as permitted by federal and state mining laws and regulations, the locator shall provide copies of said certificates to the board.

(3) A development permit shall be issued to any applicant therefor that shall meet the following requirements: (a) Payment of twenty-five dollars (\$25) fee to the board;

(b) Submit a description of the area within which development is to be conducted;

(c) Submit a suitable map or aerial photograph showing topographic, cultural and drainage features;

(d) Submit a statement of proposed development methods, i.e., drilling, trenching, etc., and the location of primary support roads and facilities.

(e) Submit an estimate of the acreage expected to be disturbed in the twelve (12) months following issue of the permit, together with a map of

the general area of the development operations for a like period. If the board shall, on good cause, consider the operator's estimate of the quantity of surface to be disturbed to be more than twenty percent (20%) below what the board considers correct in the circumstances, it may by order require the operator to increase the amount of his bond accordingly.

(f) Submit a proposed reclamation plan for lands to be disturbed in the next twelve (12) months.

(g) Submission of an affidavit as may be required by the board showing that any lands disturbed by exploration, development, or mining in the State of Montana by applicant within two years prior to the application for said permit is or is in course of being reclaimed in accordance with the provisions of this act; or submission of an affidavit and such supporting documents and evidence as may be required by the board showing that any lands disturbed by exploration, development, or mining by applicant in the State of Montana during the two (2) years prior to the application for said permit will be restored in accordance with the provisions of this act.

(4) Following approval of a development plan, the operator shall be required to file a performance bond in accordance with provisions of this act.

(5) Employees of persons holding a valid license or permit under this act shall be deemed included in and covered by such license or permit.

(6) Upon proper application by the holder of an exploration license or development permit, the board may excuse such holder from reclamation obligations with reference to any specified openings or excavations exposing geological indications or phenomena of especial interest, even though the licensee does not apply or have any intention to apply for development license or operating permit for the land in which such openings or excavations have been made.

Section 8. (1) Effective sixty (60) days after the date on which the board shall first promulgate its regulations as authorized in Section 4 of this act, no person shall engage in mining in the state without first obtaining an operating permit from the board to do so. A separate operating permit shall be required for each mine complex. Any person, prior to receiving an operating permit from the board, must pay the basic permit fee of twenty-five dollars (\$25) and must submit an application on a form provided by the board, which shall contain the following information and any other pertinent required data by the rules and regulations:

(a) Name and address of the operator and, if a corporation or other business entity, the name and address of its principal officers, partners and the like and its resident agent for service of process, if required by law;

(b) Minerals expected to be mined;

(c) A proposed reclamation plan;

(d) Expected starting date of mining;

(e) A map showing the specific area to be mined and the boundaries of the land which will be disturbed; topographic detail; the location and names of all streams, roads, railroads, and utility lines on or immediately adjacent to the area; location of proposed access roads to be built and the names and addresses of the surface and mineral owners of all lands within the mining area, to the extent known to applicant;

(f) Types of access roads to be built and manner of reclamation of road sites on abandonment;

(g) A plan of mining which will provide, within limits of normal operating procedures of the industry, for completion of mining and associated land disturbances.

Section 9. (a) The reclamation plan shall provide that reclamation activities, particularly those relating to control of erosion, shall, to the extent feasible, be conducted simultaneously with mining and in any case shall be initiated promptly after completion or abandonment of mining on those portions of the mine complex that will not be subject to further disturbance by the mining operation. In the absence of an order by the board providing a longer period, the plan shall provide that reclamation activities shall be completed not more than two (2) years after completion or abandonment of mining on said portion of mine complex.

(b) In the absence of emergency or suddenly threatened or existing catastrophe, an operator may not depart from an approved plan without having previously obtained from the supervisor or director written approval of his proposed change.

(c) Provision shall be made to avoid accumulation of stagnant water in the mined area which may serve as host or breeding ground for mosquitoes or other disease-bearing or noxious insect life.

(d) All final grading shall be made with non-noxious, nonflammable, non-combustible solids unless approval has been granted by the board for a supervised sanitary fill.

(e) Where mining has left an open pit exceeding two (2) acres of surface area, and composition of the floor and/or walls of which pit are likely to cause formation of acid, toxic, or otherwise pollutive solutions (hereinafter "objectionable effluents") on exposure to moisture, the reclamation plan must include provisions which adequately provide for:

(1) Insulation of all faces from moisture of water contact by covering to a depth of two (2) feet or more with material or fill not susceptible itself to generation of such objectionable effluents; or

(2) Processing of any such objectionable effluents in the pit before their being allowed to flow or be pumped out of it to reduce toxic or other objectionable ratios to a level deemed safe to humans and the environment by the board; or

(3) Drainage of any such objectionable effluents to settling or treatment basins wherein the objectionable effluents must be reduced to levels deemed safe by the board before release from the settling basin; or

(4) Absorption and/or evaporation of objectionable effluents in the open pit itself; and

(5) Prevention of entrance into the open pit by persons or livestock lawfully upon adjacent lands by fencing, warning signs, and such other devices as may reasonably be required by the board.

(f) Vegetative cover will be required in the reclamation plan if appropriate to the future use of the land as specified in the reclamation plan.

(g) To the extent practical, the reclamation plan shall provide for the reclamation of all disturbed land. Proposed reclamation need not reclaim the areas to a better condition or different use than that which existed prior to development or mining.

(h) A reclamation plan will be approved by the board if it adequately provides for the accomplishment of the activities heretofore specified.

Section 10. Upon receipt of an application for an operating permit the mining site shall be inspected by a supervisor. Within thirty-five (35)

days of receipt of the application and reclamation plan by the board and receipt of the permit fee, the board shall either issue an operating permit to the applicant or return any incomplete or inadequate application to the applicant along with a description of the deficiencies. Failure of the board to so act within that period shall constitute approval of the application and the permit shall be issued promptly thereafter.

The operating permit shall be granted for the period required to mine the land covered by the plan and shall be valid until the surface or underground mining authorized by the permit is completed or abandoned, unless the permit is suspended by the board as provided in this act. The operating permit shall provide that the reclamation plan may be modified by the board, upon proper application of the permittee, after timely notice and opportunity for hearing, at any time during the term of the permit and for any of the following reasons:

(a) To modify the requirements so they will not conflict with existing laws;

(b) The previously adopted reclamation plan is impossible or impracticable to implement and maintain;

(c) The operator and the supervisor mutually agreed, in the field, to temporarily modify the reclamation plan, pending final approval by the board.

When one (1) operator succeeds to the interest of another in any uncompleted mining operation by sale, assignment, lease, or otherwise, the board may release the first operator from the duties imposed upon him by this act as to such operation; provided, that both operators have complied with the requirements of this act and the successor operator assumes the duty of the former operator to complete the reclamation of the land, in which case the board shall transfer the permit to the successor operator upon approval of the successor operator's bond as required under this act.

Section 11. Concurrently with issue of a permit, the board may provide the permittee with a list of corporate sureties acceptable to the board from whom the performance bond hereafter required can be obtained.

Upon receipt of a permit the permittee, other than a public or governmental agency, shall not commence operation until the permittee has deposited with the board an acceptable performance bond on forms prescribed and furnished by the board. This performance bond shall be a corporate surety bond executed in favor of the board by a corporation authorized to do a surety business in the state of Montana and approved by the board. The bond shall be filed and maintained in an amount equal to the estimated cost of completing the reclamation plan for the area to be developed or mined during the next twelve (12) month period and any previously developed or mined area for which a permit has been issued and on which the reclamation has not been satisfactorily completed and approved. The board shall have the authority to determine the amount of the bond that shall be required, and may refuse any bond not deemed adequate. In no case shall the amount of the bond be more than five hundred (\$500) dollars per acre of the area above described or fraction thereof.

The bond shall be conditioned upon the faithful performance of the requirements set forth in this chapter and of the rules and regulations adopted pursuant thereto.

In lieu of the surety bond required by this section, the permittee may file with the board a cash deposit, negotiable securities acceptable to the board, or an assignment of a savings account in a Montana bank on an assignment form prescribed by the board.

Liability under the bond shall be maintained as long as reclamation is not completed in compliance with the approved reclamation plan unless released prior thereto as hereinafter provided. Liability under the bond may be released only upon written notification from the board. Notification shall be given upon completion of compliance or acceptance by the board of a substitute bond. In no event shall the liability of the permittee or surety exceed the amount of the surety bond required by this section.

A public or governmental agency shall not be required to post a bond under the terms of this chapter.

A blanket performance bond covering two (2) or more operations may be accepted by the board in lieu of separate bonds for each separate operation.

In the event that the board fails to supply the permittee with a list of acceptable corporate sureties as first provided above, permittee's obligation to supply such bond shall be suspended until such list is furnished him and he shall be permitted to continue his operations in the interim without depositing either cash or securities in lieu thereof.

Notwithstanding the foregoing, an applicant for a permit who shall, as part of his application, submit his duly acknowledged certificate that he will not, in the course of his entire operations in the state of Montana, exceed five (5) acres in aggregate of disturbed land unreclaimed, shall not be required to show financial capability to procure a performance bond as required by this section or thereafter to procure a corporate surety bond or make any in lieu deposit with the board therefor. Relief from such surety requirements shall in no wise relieve the permittee from any direct reclamation obligations hereunder. On acceptable showing of hardship on the part of an applicant, the board may relieve any permittee within the classification first described in this paragraph from such technical showings under sections 3 (11) and 8 which the board considers may be waived without injury to the interest of the public.

Section 12. Within thirty (30) days after completion or abandonment of operations on an area under permit or within thirty (30) days after each anniversary date of the permit, whichever is earlier, or at such later date as may be provided by rules and regulations of the board and each thereafter until reclamation is completed and approved, the permittee shall pay the annual fee of twenty-five dollars (\$25) and shall file a report of activities completed during the preceding year on a form prescribed by the board, which report shall:

- (a) Identify the permittee and the permit number;
- (b) Locate the operation by subdivision, section, township and range, and with relation to the nearest town or other well-known geographic feature;
- (c) Estimate acreage to be newly disturbed by operation in the next twelve (12) month period; and
- (d) Update any maps previously submitted or specifically requested by the board. Such maps will show:
 - (1) The permit area;
 - (2) The unit of disturbed land;
 - (3) The area to be disturbed during the next twelve (12) month period;
 - (4) If completed, the date of completion of operations;
 - (5) If not completed, the additional area estimated to be further disturbed by the operation within the following permit year; and

(6) The date of beginning, amount and current status of reclamation performed during the previous twelve (12) months.

Section 13. Following receipt of the permittee's report, and at any other reasonable time the board may elect, the board shall cause the permit area to be inspected to determine if the permittee has complied with the reclamation plan and the board's rules and regulations.

The permittee shall proceed with reclamation as scheduled in his approved reclamation plan. Following written notice by the board noting deficiencies, the permittee shall commence action within thirty (30) days to rectify these deficiencies and shall diligently proceed until the deficiencies are corrected; provided, that deficiencies that also violate other laws that require earlier rectification shall be corrected in accordance with the applicable time provisions of such laws. The board may extend performance periods referred to in this section and in section 9 of this act, for delays clearly beyond the permittee's control, but only when the permittee is, in the opinion of the board, making every reasonable effort to comply.

Within thirty (30) days after notification by the permittee and when in the judgment of the board reclamation of a unit of disturbed land area is properly completed, the permittee shall be notified in writing and his bond on said area shall be released or decreased proportionately to the acreage included within the bond coverage.

If reclamation of disturbed land is not pursued in accordance with the reclamation plan and the permittee has not commenced action to rectify deficiencies within thirty (30) days after notification by the board, or if reclamation is not properly completed in conformance with the reclamation plan within two (2) years after completion or abandonment of operation on any fraction of the permit area, or such longer period as may have been authorized hereunder, or if, after default by the permittee, the surety either refuses or fails to perform the work to the satisfaction of the board within the time required therefor, the board may, with the staff, equipment and material under its control, or by contract with others, take such actions as are necessary for required reclamation of the disturbed lands. Such work shall be let on the basis of competitive bidding. The board shall keep a record of all necessary expenses incurred in carrying out the work or activity authorized under this section, including a reasonable charge for the services performed by the state's personnel and the state's equipment and materials utilized.

The board shall notify the permittee and his surety by order. The order shall state the amount of necessary expenses incurred by the board in reclaiming the disturbed land and a notice that the amount is due and payable to the board by the permittee and the surety. If the amount specified in the order is not paid within thirty (30) days after receipt of the notice, the attorney general, upon request of the board, shall bring an action on behalf of the state in district court. The surety shall be liable to the state to the extent of the bond.

In addition to the other liabilities imposed by this act, failure to commence action to remedy specific deficiencies in reclamation within thirty (30) days after notification by the board or failure to satisfactorily complete reclamation work on any segment of the permit area within two (2) years, or such longer period as the board may permit on permittee's application therefor, or on the board's own motion, after completion or abandonment of operations on any segment of the permit area shall constitute sufficient grounds for cancellation of a permit or license and refusal to issue another permit or license to the applicant; provided, however, that such action shall not be effected while an appeal is pending from any ruling requiring the same.

Section 14. A permit may be denied for any of the following reasons:

(a) The plan of development, mining, or reclamation conflicts with the state water and air purification standards;

(b) The reclamation plan does not provide an acceptable method for accomplishment of reclamation as required by this act.

A denial of a permit shall be in writing and state the reasons therefor.

Section 15. A permit may be denied and returned to the applicant with a request that the application be resubmitted with a different plan for reclamation. The person making application for a permit may then resubmit to the board a new plan for reclamation.

Section 16. A licensee, permittee or applicant who has been aggrieved by any decision of the board shall have the right of appeal to an appeals board comprised of the following: one (1) member of the fish and game department; two (2) qualified mining engineers to be appointed by the governor, at least one (1) of whom shall not be an employee of the state or any agency or arm thereof; one (1) member from the state department of agriculture; one (1) member of the department of health; and one (1) member from the state department of planning and economic development; and one (1) member from the legal staff of the attorney general.

The appeal shall be instituted by filing a petition with the appeals board within thirty (30) days after the denial of the permit. The petition shall contain a statement of the reasons for which the petitioner is aggrieved, and after reasonable notice the petitioner or his attorney or agent shall be afforded a hearing before the appeals board thereon.

Within fifteen (15) days after the hearing, the appeals board shall notify the petitioner in writing of its decision and the reasons therefor.

Section 17. A licensee, permittee or applicant aggrieved by a final decision of the appeals board is entitled to judicial review under this act. Proceedings for review shall be instituted by filing a petition in a district court within thirty (30) days after service of the final decision of the appeals board. Copies of the petition shall be promptly served upon the appeals board and all parties of record.

The petition shall include a concise statement of the facts upon which jurisdiction and venue are based, a statement of the manner in which the petitioner is aggrieved and the ground or grounds upon which the petitioner contends he is entitled to relief. The petition shall demand the relief to which the petitioner believes he is entitled.

Within thirty (30) days after the service of the petition, or within further time allowed by the court, the appeals board shall transmit to the reviewing court the original or a certified copy of the entire record of the proceeding under review. By stipulation of all parties to the review proceedings, the record may be shortened. A party unreasonably refusing to stipulate to limit the record may be taxed by the court for the additional costs. The court may require or permit subsequent corrections or additions to the record.

If, before the date set for hearing, application is made to the court by the appellant for leave to present additional evidence, and it is shown to the satisfaction of the court that the additional evidence is material and that there were good reasons for failure to present it in the proceeding before the appeals board, the court may order that the additional evidence be taken before the court.

The review shall be conducted by the court without a jury, and shall be confined to the administrative and court record. In cases of alleged

irregularities in procedure before the appeals board, not shown in the record, proof thereon may be taken in the court. The court, upon request, shall hear oral argument and receive written briefs.

The court shall not substitute its judgment for that of the appeals board as to the weight of evidence on questions of fact. The court may affirm the decision of the appeals board or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the findings, inferences, conclusions, decisions or proceedings were: (a) in violation of constitutional or statutory provisions;

(b) In excess of the statutory authority of the director, board, or the appeals board;

(c) Made upon unlawful procedure;

(d) Affected by other error of law;

(e) Clearly erroneous in view of the reliable, probative and substantial evidence on the whole record, including the additional evidence introduced before the court as above provided;

(f) Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; or

(g) Because findings of fact, upon issues essential to the decisions, were not made although requested.

Section 18. An aggrieved party may obtain review of a final judgment of a district court under this act by appeal to the supreme court within sixty (60) days after entry of judgment. Such appeal shall be taken in the manner provided by law for appeals from district courts in civil cases.

Section 19. No provisions of this act shall be applicable to mines or related operations which are actively in operation, or extensions thereof within the same operational complex, nor to any exploration, development or mining work performed prior to the date of first promulgation of the board's rules and regulations pursuant to Section 4 of this act.

Section 20. Any and all information obtained by the board or by the director or his staff by virtue of applications for licenses or permits is confidential between the board and the applicant. Any information obtained by the board or by the director or his staff by virtue of applications for licenses or permits is, however, properly admissible in any hearing conducted by the director, the board, appeals board or in any judicial proceeding to which the director and the applicant are parties. Failure to comply with the secrecy provisions of this act shall be punishable by a fine of up to ten thousand dollars (\$10,000) and one (1) year in jail.

Section 21. Persons violating the provisions of this act shall be guilty of a misdemeanor and may be punished by a fine or not more than one thousand dollars (\$1,000) or imprisonment in the county jail for not more than six (6) months or by both such penalties.

Section 22. This act shall not be applicable to operations on certain federal lands as specified by the board, provided it is first determined by the board that federal law, or regulations issued by the federal agency administering such land, impose controls for reclamation of said lands substantially equal to or greater than those imposed by this act.

Section 23. This act is effective on its passage and approval.

(Material in brackets denotes canceled type.)

And, as amended, do pass.

LUNDGREN, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 244, respectfully report as follows: That House Bill No. 244

Be amended in Section 1, page 1, line 25, following the words "having a" by striking the word "commercial", and

As so amended, do pass.

LUNDGREN, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 do pass.

LUNDGREN, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 368, respectfully report as follows: That House Bill No. 368

Be amended in Section 2, page 3, line 4, following the word and period "homes." by adding the following: "The provisions of this act shall not apply to any parcel of land ten (10) acres in size or larger."

Be further amended in Section 5, page 4, line 30, following the word "jurisdiction" by inserting the following: "or the board of county commissioners if there is no planning board in the county in which the subdivision is located"

And further amend n Section 11, page 12, line 10, following the word "who" by inserting a comma and word ", willfully"

And, as amended, do pass.

LUNDGREN, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 182, respectfully report as follows: That House Bill No. 182 be amended

Lundgren moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Amend the title, page 1, line 5 of the introduced bill, following the word and punctuation "system;" by omitting the words "designating certain" and by inserting in lieu thereof the words "establishing procedures for designating".

Further amend the title, page 1, beginning with line 8, following the word "commission" by omitting the punctuation and words "; and restricting use of waters and of lands submerged or submergible by waterways system".

Amend Section 1, page 1, line 21, following the words "to be" by omitting the word "complimented" and by inserting in lieu thereof the word "complemented".

Further amend Section 1, page 1, line 26, following the word and punctuation "public," by inserting the words "the unique values of".

Amend Section 2, subsection (6), page 2, line 22, following the word "Recreational" by omitting the word "River" and by inserting in lieu thereof the word "Waterway".

Further amend Section 2, subsection (7), page 3, following the punctuation and figure "(7)" by omitting all of the material in lines 8 through 13 and by inserting the following material: "Scenic easement" means an interest in land (including the air space above such land) along a recreational waterway for the purpose of protecting scenic, historic, recreational, and natural characteristics of the area."

Amend Section 3, page 3, beginning with line 14, by omitting Section 3 in its entirety and by inserting in lieu thereof the following new material:

"Section 3. (1) Recreational waterways shall be administered by the commission in such a manner as to protect and enhance their unique values. Primary emphasis shall be given to maintaining the free-flowing character of the rivers and to protecting the ecological systems and the esthetic, recreational, scenic, fish and wildlife, historic, scientific and archaeological values and features, based upon the special characteristics of each area.

(2) The commission may adopt regulations governing the management of recreational waterways in accordance with the objects of this act and in harmony with compatible agricultural, forestry and other land uses after (a) consultation with the Governor's Council on Natural Resources and Development, and (b) a public hearing to be noticed once a week for three consecutive weeks in a newspaper of general circulation in the county or counties wherein the recreational waterways to be affected are located, the last publication of which shall be not less than ten days prior to the date set for hearing. Such regulations shall not limit existing land uses.

(3) The commission will conduct necessary interdepartmental meetings with the Montana Water Resources Board and State Board of Health to collect and evaluate available information with respect to existing classification of waters for beneficial uses and water quality standards or regulations. The Water Resources Board and Board of Health shall provide technical assistance and support to the commission where this is practicable.

(4) The Commission may obtain a scenic easement or other interest in land by purchase at fair market value if deemed necessary to protect environmental values on related adjacent land."

Amend Sections 4 and 5, beginning with line 3 on page 4 through line 7 on page 6, by omitting all of the material in Sections 4 and 5 in their entirety and by renumbering present Sections 6 through 13 to be Sections 4 through 11.

Amend present Section 6 (renumbered Section 4), page 6, line 11, following the word "of" by omitting the word "additional".

Amend page 8, following line 24, by adding a new Section 12 to read as follows:

"Section 12. It is the intention of the legislature that if any portion of this act is held to be unconstitutional, such holding shall not affect the remaining provisions thereof."

And, as amended, do pass.

LUNDGREN, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 do not pass.

LUNDGREN, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 471, respectfully report as follows: That House Bill No. 471 do not pass.

LUNDGREN, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 500, respectfully report as follows: That House Bill No. 500 do not pass.

LUNDGREN, Chairman

Report adopted.

February 8, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 548, respectfully report as follows: That House Bill No. 548 do not pass.

LUNDGREN, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Lanthorn, having voted on the prevailing side in killing House Bill No. 493, moved that the House reconsider its action and refer the bill back to Committee on Fish and Game. Motion failed to pass.

Ulmer moved that House Bill No. 369 be taken from Printing and be re-referred to Committee on Ways and Means. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee:

Senate Bill No. 10, introduced by Groff, Dzivi, Thiessen, Bertsche, Lynch, Mackay, Moore, Flynn, Rugg, McGowan: A bill for an act entitled: "An act to amend Section 84-1901, R.C.M., 1947, lowering the per cent of funds for aid to the public schools." Referred to Committee on Education.

Senate Bill No. 14, introduced by Goodheart, Bollinger, Mackay, McOmber, Sheehy: A bill for an act entitled: "An act to amend Section 84-1855, R.C.M., 1947, relating to procedure for refunds of gasoline license tax." Referred to Committee on Highways.

Senate Bill No. 40, introduced by Stephens, Moritz, Manning, Mathers, Carl, James, Thiessen: A bill for an act entitled: "An act to amend Section 32-2142, R.C.M., 1947, reducing the amount of alcohol necessary to presume a person under the influence of intoxicating liquor and defining the basis for determining the same, and providing an effective date." Referred to Committee on Highways.

Senate Bill No. 65, introduced by Lowe, Northey, Groff, Vainio, Stein, Graham, Moore: A bill for an act entitled: "An act providing for the licensing and regulation of outfitting and guiding of hunting and fishing parties in the State of Montana; providing for the regulation of nonresident hunters; the protection of private property; the protection of environmental resources; and to repeal Sections 26-901, 26-902 and 26-903.2, R.C.M., 1947." Referred to Committee on Fish and Game.

Senate Bill No. 128, introduced by McGowan, Rugg: A bill for an act entitled: "An act to provide for the filing of certain forms with the Mon-

tana Water Resources Board relative to ground water appropriation; amending Sections 89-2911 and 89-2913, R.C.M., 1947." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 148, introduced by McKeon: A bill for an act entitled: "A bill to provide for control and regulation of the affairs of insurance holding companies; prescribe rules and regulations governing acquisition and disposal of insurance holding companies; subjecting domestic insurers to examination by the Insurance Department; providing for application to be made to the Insurance Commissioner to approve certain transactions; providing for judicial review; defining terms; and providing penalties; repealing Sections 40-5501 through 40-5508, R.C.M., 1947." Referred to Committee on Business and Industry.

Senate Bill No. 180, introduced by Bertsche, Cochrane: A bill for an act entitled: "An act to amend Sections 82-3303 and 82-3306, R.C.M., 1947, by adding two statutory divisions to the Department of Administration; requiring the Controller to provide central data processing, duplicating and copying facilities to state agencies in the Capitol Complex and to establish regulations relating to the procurement and utilization of data processing equipment, programs and data processing communications networks." Referred to Committee on State Administration.

Senate Bill No. 189, introduced by Rehber: A bill for an act entitled: "An act to amend Section 61-112.2, R.C.M., 1947, to allow reasonable attorney's fees for the successful recovery of damages for malicious destruction of property by persons under eighteen (18) from the parents, as provided for in Section 61-112.1, R.C.M., 1947." Referred to Committee on Judiciary.

Senate Bill No. 192, introduced by Cotton: A bill for an act entitled: "An act amending Section 75-8511, Chapter 85 of Title 75, of the Higher Education Laws Recodification of the 42nd Session Laws of Montana by deleting Sections (3) and (4) in their entirety." Referred to Committee on Education.

Senate Bill No. 198, introduced by Turnage, Boylan: A bill for an act entitled: "An act requiring persons excavating in any public street, alley, right-of-way dedicated to public use or utility easement to obtain information as to existence therein of underground facilities, and providing civil penalties for failure so to do." Referred to Committee on Townships and Counties.

Senate Bill No. 206, introduced by Sheehy, Hazelbaker: A bill for an act entitled: "An act to amend Sections 8-103 and 8-104.4 of the Revised Codes of Montana, 1947, relating to regulation of motor carriers by the Board of Railroad Commissioners; empowering the board to authorize different rates for service within the same places when such different rates are justified by the differing character of service to be rendered." Referred to Committee on Highways.

Senate Bill No. 207, introduced by Sheehy, Hazelbaker: A bill for an act entitled: "An act to amend Motor Carrier Act, Title 8, Chapter 1, R.C.M. 1947, by adding a new subsection (a) allowing the Railroad and Public Service Commission to assess fines for violation of the Motor Carrier Act after proper hearing and increasing fines for violation of the act." Referred to Committee on Highways.

Senate Bill No. 208, introduced by Sheehy, Hazelbaker: A bill for an act entitled: "An act to amend Title 8-110, 8-111, 8-111.1, Revised Codes of Montana, 1947, all relating to the certificate required of Class C motor carriers—contents of application—fee; excepting from such requirements all Class C Motor Carriers operating pursuant to the terms and conditions of a United States government contract, agency or department thereof; providing for a certificate of public convenience and necessity for all Class

C Motor Carriers operating pursuant to the terms and conditions of a United States government contract, agency or department thereof, such transportation deemed a transportation movement subject to the provisions of the Montana Motor Carrier Act, Revised Codes of Montana, 1947, 8-101 et seq. providing that the written contract and its presentation to the board shall be deemed sufficient proof of public convenience and necessity according to the terms and conditions within the contract; providing further that a Class C certificate of public convenience and necessity may be issued to that motor carrier without requirement of time and place for public hearing, said certificate issued only during the duration of the United States government contract; providing further for renewal of said certificate; amending Revised Codes of Montana, 1947, 8-111 exempting all Class C Carriers operating pursuant to the terms and conditions of a United States government contract, agency or department from requirement of public hearings—notice all matters to be considered; amend Revised Codes of Montana, 1947, 8-111.1 from requirement of time and place of public hearing or issuance of board order.” Referred to Committee on Highways.

Senate Bill No. 219, introduced by Rosell, Rehberg, McCallum, Brownfield, Mathers, James, Keenan, Rugg, Rostad, Cotton, Sheehy: A bill for an act entitled: “An act to amend Section 75-6303, R.C.M., 1947, providing a district judge with the discretionary power to excuse a child from compulsory school attendance.” Referred to Committee on Education.

Senate Bill No. 231, introduced by Rehberg: A bill for an act entitled: “An act to revise the sanitarians Registration Council Act by placing administration of the act with the Department of Health under policy guidance from the Board of Health; amending Sections 69-3401, 69-3402, 69-3403, 69-3404, 69-3405, 69-3407, 69-3408, and 69-3409, R.C.M., 1947.” Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 248, introduced by Committee on Highways and Transportation: A bill for an act entitled: “An act to amend Section 31-135, R.C.M., 1947, increasing the life of a driver’s license from two (2) to four (4) years; and providing a renewal provision.” Referred to Committee on Highways.

Senate Bill No. 296, introduced by Boylan, Hanks: A bill for an act entitled: “An act to amend Section 11-1001, R.C.M., 1947, relating to authorization of cities and towns to furnish sewage services in addition to water to industries and to persons without city limits; rates; penalty for violations.” Referred to Committee on Affairs of Cities.

Senate Bill No. 300, introduced by McDonald, Dzivi: A bill for an act entitled: “An act to provide and establish compensation for employees who are partially disabled under the Occupational Disease Act of Montana by amending Section 92-1311, R.C.M., 1947; changing dates; and by repealing Section 92-1322, R.C.M., 1947, and all other acts in conflict herewith.” Referred to Committee on Labor and Compensation.

Senate Bill No. 308, introduced by Dzivi, Sheehy: A bill for an act entitled: “An act to provide for the voluntary payment of personal injury or property damage claims without such payment constituting an admission of liability.” Referred to Committee on Judiciary.

Senate Bill No. 313, introduced by Rosell, Lynch, Rehberg, Stephens, Cotton, Boylan: A bill for an act entitled: “An act relating to the Teachers’ Retirement System of the State of Montana; providing for the addition of the State Auditor and State Treasurer as ex-officio members of the retirement board; providing for the nomination and election of two persons from Montana Public School Boards and three persons from the teaching profession as members of the retirement board; amending Section 75-6203 and Section 75-6204; and providing an effective date.” Referred to Committee on Education.

Senate Bill No. 317, introduced by Gilfeather: A bill for an act entitled: "An act to assure eligibility for aid to dependent children assistance for the care of children whose father is unemployed but seeking employment, and to provide for the county share of participation in grants for such persons." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 329, introduced by Mackay, Thiessen, Graham, Mathers: A bill for an act entitled: "An act to amend Section 91-512, R.C.M., 1947, to delete the salary limitation for the special assistant attorney general assigned the function of working with escheated estates." Referred to Committee on State Administration.

Senate Joint Resolution No. 18, introduced by Mathers, Mackay, Groff: A Joint Resolution of the Senate and House of Representatives requesting the Board of Education to disapprove the school standards of accreditation recommended by the Superintendent of Public Instruction, and that the Superintendent of Public Instruction prepare revised standards of accreditation based on qualitative evaluation and new concepts and developments in education. Referred to Committee on Education.

Senate Joint Resolution No. 30, introduced by Rosell, Stephens, Rugg, McCallum, Rostad, Sheehy, Keenan, James, Brownfield, Mathers, Lynch, Lowe, Lyon, Rehberg, Cotton, Goodheart, Cochrane, Boylan, Klindt, Broeder, Moore, Stein, Carl: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the State Board of Education to conduct a study of proprietary schools offering vocational or technical training to citizens of Montana. Referred to Committee on Education.

House Bill No. 598, introduced by Haines, McGrath, Harrison, Laas, Patrick, Swan, Gunderson, Staigmiller, Healy, Lucas: A bill for an act entitled: "An act to appropriate thirty-nine thousand dollars (\$39,000) from the general fund for the restoration of the governors' old mansion at Helena, Montana." Referred to Committee on Appropriations.

House Resolution No. 8, introduced by Lombardi, Perry, Harper, Quilici, Healy, Lee, Mehrens, Asbjornson, Clemow, Keller, Lynch, Haines, Kosena, Menahan, McGrath, Staigmiller, Hodges, Gunderson, McKittrick, Marbut, Giesick: A resolution of the House of Representatives of the State of Montana requesting the constitutional convention to consider a provision for the establishment of a state lottery to provide financing for schools in Montana.

Lombardi moved that the House suspend its Rules and consider House Resolution No. 8 read in full. Motion carried.

Referred to Committee on Constitutional Convention.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Wolf in the Chair. Committee arose.

House resumed. Mr. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 565 do not pass.

That Senate Bills Nos. 160, 66 and Senate Joint Resolution Nos. 20 and 5 be passed for the day.

That House Bill No. 308 do pass.

That House Bill No. 353 be passed for the day.

That House Bill No. 462 be amended on page 2, section 1, line 5 of the Approved Bill by the Business and Industry Committee, by striking after the word "rate" the following material: ", but may not exceed ninety dollars (\$90.00) per year"

And further amend on line 1, page 2 by striking the words "educational institutions" and inserting in lieu thereof the following words "university system"

And, as amended, pass for the day.

That House Bill No. 541 do pass.

That House Bill No. 516 do pass.

That House Bill No. 531 be passed for the day.

That House Bill No. 333 do pass.

That House Bill No. 326 do pass.

That House Bill No. 433 be amended in Section 1, subsection (e), page 2, line 19 of the committee Approved Bill, by striking the following word "either" and inserting in lieu thereof the following word "any".

And further amend in the same line 19 by striking the word "both" and inserting in lieu thereof the following word "all"

And as amended, do pass.

That House Joint Resolution No. 39 do pass.

That House Bill No. 170 be amended in the title, page 1, line 6, after the word "act" and before the word "to" by inserting the following words, figures and punctuation "amending Section 54-132, R.C.M., 1947,"

And as amended, do not pass.

That House Bill No. 358 do pass.

That House Bill No. 551 be passed for the day.

That House Bill No. 466 do pass.

That House Bill No. 446 do pass.

That House Bill No. 208 do pass.

That House Bill No. 249 do pass.

That House Bill No. 552 be amended in section 1, page 2, line 27 of the committee approved bill by striking the figure "2" in the second column and inserting in lieu thereof the figure "1", and

Further amend on page 2, section 1, line 27, by striking the semi-colon after the word "Granite", and

Further amend on page 2, section 1, line 28, by inserting the following new material in the first and second columns, respectively, "19a" and "1", and

Further amend on page 5, section 2, lines 10 through and including 15 by striking the material therein in its entirety and inserting in lieu thereof the following new material: "19 2 Jefferson; Powell; Granite".

And as amended, be passed for the day.

That House Bill No. 387 do not pass.

That House Bill No. 388 do not pass.

That House Bill No. 389 do not pass.

That House Bill No. 386 do not pass.

That House Bill No. 410 do pass.

That the Committee rise and report.

WOLF, Chairman

Wolf moved for adoption of the Committee of the Whole report.

As a substitute motion, Giesick moved that House Bill No. 170 be segregated from the Committee of the Whole report. A roll call vote was requested, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Campbell, Fitzgarrald, Forester, Giesick, Glennen, Harper, Healy, Keller, Lee, Lockrem, Lombardi, Lynch, McGrath, Marks, J. Murphy, Nichols, Perry, Nelstead, Quilici, Robbins, Schoonover, Selstad, Snortland, Spilde, Wolf. Total 25.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Fagg, Falkenstern, Fasbender, Fleming, Greely, Gunderson, Haines, Hall, Harrison, Himsl, Hodges, Johnson, Kendall, Knudsen, Kosen, Laas, Lanthorn, Lien, Lund, McKittrick, McNamer, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Patrick, Scott, Shelden, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody. Total 60.

Absent or not voting: Burnett, East, Ellerd, Gerke, Hemstad, Kolstad, Kvaalen, Lockwood, Lundgren, Marbut, Prevost, C. Smith, E. Smith, Swan, Zimmer, Mr. Speaker. Total 16.

Excused: Edland, Eggebrecht, Jackson. Total 3.

As a substitute motion, Bardanouve moved that House Bill No. 387 be segregated from the Committee of the Whole report. A roll call vote was requested, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Baeth, Bardanouve, Bradley, Brand, Christiansen, Cox, Devine, Fagg, Fasbender, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hodges, Keller, Knudsen, Lee, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Nelstead, Prevost, Quilici, Shelden, Staigmiller, Swanberg, Warfield, Watt, Weeding, Wolf, Yardley. Total 39.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Darrow, Dye, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Haines, Hemstad, Himsl, Johnston, Kendall, Kosen, Laas, Lanthorn, Lien, Lockrem, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Robbins, Schoonover, Scott, Selstad, E. Smith, Snortland, Spilde, Sverdsten, Swan, Towe, Ulmer, Whitney, Worden, Zody. Total 51.

Absent or not voting: East, Ellerd, Gerke, Kolstad, Kvaalen, Lockwood, Marbut, Parrish, C. Smith, Zimmer, Mr. Speaker. Total 11.

Excused: Edland, Eggebrecht, Jackson. Total 3.

As a substitute motion, Bardanouve moved that House Bill No. 388 be segregated from the Committee of the Whole report. A roll call vote was requested, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Baeth, Bardanouve, Bradley, Brand, Christiansen, Cox, Devine, Fagg, Fasbender, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Keller, Knudsen, Lee, Lombardi, Lynch, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Prevost, Shelden, Staigmiller, Warfield, Watt, Weeding, Wolf, Yardley. Total 37.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Darrow, Dye, Falkenstern, Fitzgarrald, Fleming, Forester, Hemstad, Himsl, Johnston, Kendall, Kosena, Laas, Lanthorn, Lien, Lockrem, Lund, Lundgren, McGrath, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Whitney, Worden, Zody. Total 53.

Absent or not voting: East, Ellerd, Gerke, Kolstad, Kvaalen, Lockwood, Marbut, Parrish, C. Smith, Zimmer, Mr. Speaker. Total 11.

Excused: Edland, Eggebrecht, Jackson. Total 3.

As a substitute motion, Bardanouve moved that House Bill No. 389 be segregated from the Committee of the Whole report. A roll call vote was requested, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Baeth, Bardanouve, Bradley, Brand, Christiansen, Cox, Devine, Fagg, Fasbender, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hodges, Keller, Knudsen, Kosena, Lee, Lombardi, Lynch, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Prevost, Quilici, Shelden, Staigmiller, Warfield, Watt, Weeding, Wolf, Yardley. Total 38.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Darrow, Dye, Falkenstern, Fitzgarrald, Fleming, Forester, Haines, Hemstad, Himsl, Johnston, Kendall, Laas, Lanthorn, Lien, Lockrem, Lund, Lundgren, McGrath, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Robbins, Schoonover, Scott, Selstad, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Whitney, Worden, Zody. Total 50.

Absent or not voting: Anderson, Clemow, East, Ellerd, Gerke, Kolstad, Kvaalen, Lockwood, Marbut, Parrish, C. Smith, Zimmer, Mr. Speaker. Total 13.

Excused: Edland, Eggebrecht, Jackson. Total 3.

As a substitute motion, Bardanouve moved that House Bill No. 386 be segregated from the Committee of the Whole report. A roll call vote was requested, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Baeth, Bardanouve, Bradley, Brand, Christiansen, Cox, Devine, Fagg, Fasbender, Giesick, Glennen, Greely, Gunderson, Hall, Haper, Harrison, Healy, Hodges, Keller, Knudsen, Kosena, Lee, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Olson, Prevost, Quilici, Shelden, Staigmiller, Swan, Warfield, Watt, Weeding, Wolf, Yardley. Total 41.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Darrow, Dye, Falkenstern, Fitzgarrald, Fleming, For-
ester, Haines, Hemstad, Himsl, Johnston, Kendall, Laas, Lanthorn, Lien,
Lockrem, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols,
Patrick, Perry, Nelstead, Robbins, Schoonover, Scott, Selstad, E. Smith,
Snortland, Spilde, Sverdsten, Swanberg, Towe, Ulmer, Whitney, Worden,
Zody. Total 48.

Absent or not voting: Anderson, East, Ellerd, Gerke, Kolstad, Kvaalen,
Lockwood, Marbut, Parrish, C. Smith, Zimmer, Mr. Speaker. Total 12.

Excused: Edland, Eggebrecht, Jackson. Total 3.

Thereupon the Committee of the Whole report was adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that from now until the Fortieth Legislative Day all
debate be limited to five minutes for each speaker. Motion carried.

Harrison moved that House Bill No. 369 be taken from Committee on
Judiciary and be placed on Second Reading. Motion carried.

Harrison moved that the House adjourn until 11:30 a.m., February 10,
1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

THIRTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 10, 1971

House convened, pursuant to adjournment, at 11:30 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Burnett, Jackson, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined
the Journal for the Thirty-Seventh Legislative Day and find the same
correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

February 10, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the
following bills correctly engrossed: House Bills Nos. 249, 308, 326, 333, 358,
410, 446, 466, 541, 433; House Joint Resolution No. 39.

MARKS, Chairman

February 10, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred

House Bills Nos. 265, 361, 423, 523, 562, 563, 31, 70, 164, 165, 182, 243, 273, 293, 312, 368, 453, 473, 484, 499, 530, 580, 582, House Joint Resolution No. 49, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 10, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 133, 134, 228.

MARKS, Chairman

February 10, 1971

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Joint Resolution No. 47, respectfully report as follows: That House Joint Resolution No. 47 do not pass.

FAGG, Chairman

Fagg moved for adoption of the committee report.

As a substitute motion, Towe moved that House Joint Resolution No. 47 be printed and placed on Second Reading. Motion failed.

Report adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Bill No. 502, respectfully report as follows: That House Bill No. 502 do not pass.

FAGG, Chairman

Report adopted.

February 6, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Bill No. 507, respectfully report as follows: That House Bill No. 507 do not pass.

LUNDGREN, Chairman

Report adopted.

February 9, 1971

Mr. Speaker. We, your Committee on Judiciary, having had under consideration House Bill No. 472, respectfully report as follows: That House Bill No. 472 do pass.

SCOTT, Chairman

Report adopted.

February 9, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 503, respectfully report as follows: That House Bill No. 503 be amended

Scott moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 25, section 2 of the printed bill after the word "may" by inserting the following material: "request the County Attorney to", and

Be further amended on page 1, line 25, section 2 of the printed bill after the word "district" by inserting the word "court", and

Be further amended on page 1, line 26, section 2 of the printed bill by striking the word "[verified]", and

Be further amended on page 1, line 26, section 2 of the printed bill after the word "petition" by inserting the following material: ", signed by such petitioner and a medical doctor," and

Be further amended on page 2, lines 1 and 2, section 2 of the printed bill by striking the following material: "[The petition shall be countersigned by a medical doctor.]", and

Be further amended on page 2, line 17, section 2, subsection (e) of the printed bill after the word "of" by adding the following material: "the alleged mentally ill person", and

Be further amended on page 2, line 29, section 2, subsection (f) of the printed bill by striking the word "[insane]" and inserting in lieu thereof the following words: "mentally ill", and

Further amended on page 4, section 4, lines 10 through 22, after the material "in is" by striking the material "[mentally ill, and in need of supervision, treatment, care or restraint the judge shall make such orders as may be necessary to provide for examination into the state of mental health of the person, and for the safekeeping, necessary medical treatment, care or restraint of the person, pending hearing, in his own home, in a hospital or in such other place as will afford access to medical examiners for the purpose of examination and suitable provisions for the safety and comfort of the person. The judge shall by order appoint two medical examiners to make a personal examination of the person and to report thereon to the court. If the judge is satisfied that the person is]", and

Be further amended on page 5, Section 5, starting with line 18 by striking Section 5 in its entirety, and renumbering the following sections accordingly, and

Be further amended on page 7, line 6, section 6 of the printed bill after the word "after" by striking the following material: "[service of this notice file a request for]" and inserting in lieu thereof the following material "the examination has been completed request", and

Further amend on page 7, line 15, section 8 of the printed bill after the word "or" by striking the word "[in]" and inserting in lieu thereof the word "on", and

Further amend on page 7, line 17, section 8 of the printed bill after the word "the" by striking the following material "[service of the notice, petition and orders for examination or detention]" and inserting in lieu thereof the following material: "completion of the examination," and

Further amend on page 7, line 20, section 8 after the word "attorney" by striking the word "[during]" and inserting in lieu thereof the word "before", and

Be further amended on page 7, line 23, section 8 after the word "of" by striking the words "[the two (2)]" and inserting in lieu thereof the material "one (1)", and

Be further amended on line 24, page 7, section 8, after the word "medical" by striking the word "[examiners]" and inserting in lieu thereof the material "examiner, preferably a psychiatrist", and

Be further amended on page 8, lines 1 and 2 after the word "committed" by striking the material "[or cared for as provided in section 38-208 of this code.]" and inserting in lieu thereof the material "to the Montana State Hospital or the person's relative or guardian as hereinafter provided.", and

Further amend on page 8, line 4, section 8, after the word "unless" by striking the following material: "[two (2) medical examiners have]" and inserting in lieu thereof the following material: "one (1) medical examiner has", and

Further amend on page 8, line 6, section 8 after the word "and" by striking the word "[have]" and inserting in lieu thereof the word "has", and

Further amend on page 8, line 8, section 8 of the printed bill by striking the word "[examiners]" and inserting in lieu thereof the word "examiner", and

Further amend on page 8, line 10, section 8 after the word "ill." by adding the following material: "Further, no order for commitment shall issue until a hearing has been held or the judge is satisfied that the person alleged to be mentally ill has intelligently waived his right to a hearing or that a hearing would serve no useful purpose.", and

Further amend on page 8, line 21, section 9 of the printed bill after the word "witnesses." by adding the following material: "Such hearing and examination shall be before the district court unless such alleged mentally ill person requests a trial by jury, in which case a trial must be had as provided by law for the trial of a criminal cause before a jury except that a vote of three fourths of the jury shall be sufficient to find in favor of commitment and the judge shall sign the commitment order accordingly. The person ordered to be committed after such a jury trial shall not be entitled to a second jury trial under R.C.M., 1947, Section 38-213.", and

Further amend on page 8, line 22, section 9 of the printed bill by striking the word "[examination]" and inserting in lieu thereof the following words: "hearing or trial", and

Further amend on page 8, line 30, section 10 of the printed bill by striking the words "[and at]" and inserting in lieu thereof the word "or", and

Further amend on page 8, line 30, section 10 of the printed bill after the word "trial" by striking the material "[, if any]" and inserting in lieu thereof a period ".", and

Further amend on page 9, line 10, section 10 after the word "attorney" by adding the following material: "The county shall also pay all precommitment expenses incurred in connection with the arrest, examination and precommitment custody.", and

Further amend on page 9, section 11, line 11, after the material "38-201" by adding the following material: "38-202, 38-203, 38-204, 38-205, 38-206, 38-207, 38-208"

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

SCOTT, Chairman

Report adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 be amended

Nichols moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Amend the title, being page 1, line 13, following the word "election" by inserting the following punctuation and words "; providing for an immediate effective date; and further providing for an automatic repealer."

Amend page 28, section 27, subsection (1), strike line 28.

Amend page 29, section 27, subsection (1), insert on line 3 the material "\$146,461".

Amend page 29, section 27, subsection (2), line 12, insert the material "\$38,155".

Amend page 29, section 27, subsection (2), line 17, insert the material "\$111,385".

Amend page 29, section 27, subsection (3), line 24, insert the material "\$349,281".

Amend page 29, section 27, insert subsection (4), the material to read as follows: "The following amounts are appropriated from the general fund to the Secretary of State:

"For the biennium ending June 30, 1973
\$41,000"

And, as so amended, do pass.

NICHOLS, Chairman

Report adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 104, respectfully report as follows: That House Bill No. 104 be amended

Be amended on page 1, section 1, line 27, after the material "\$7.50", by striking the word "[fifteen]", and inserting in lieu thereof the word "ten", and

Be further amended on page 1, section 1, line 28, after the word "dollars", by striking the material "[\$15.00]", and inserting in lieu thereof the material "(\$10.00)".

(Material in brackets denotes cancelled type.)

And, as so amended, do pass.

NICHOLS, Chairman

Report adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do pass.

KELLER, Chairman

Report adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 467, respectfully report as follows: That House Bill No. 467 do not pass.

KELLER, Chairman

Report adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 105, respectfully report as follows: That Senate Bill No. 105 be concurred in.

EAST, Chairman

Report adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 104, respectfully report as follows: That Senate Bill No. 104 be concurred in.

EAST, Chairman

Report adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 67, respectfully report as follows: That Senate Bill No. 67 be concurred in.

EAST, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 9, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
Helena, Montana

Dear Sir:

This will inform you that I have this day signed into law House Bill No. 212.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

February 9, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 185, introduced by Bertsche, Graham

Senate Bill No. 45, introduced by Mitchell, et al

Senate Bill No. 95, introduced by Lynch, McKeon

Senate Bill No. 61, introduced by Turnage, Lynch

Senate Bill No. 156, introduced by Lowe, et al

Senate Bill No. 43, introduced by Hanks, Flynn

Senate Bill No. 175, introduced by James, et al

Senate Bill No. 176, introduced by James, Mackay, Goodheart

Senate Bill No. 203, introduced by Sheehy, et al

Senate Bill No. 114, introduced by Bennett, et al

Senate Bill No. 166, introduced by Rugg, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 9, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House bills, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 184, introduced by J. Murphy

House Bill No. 179, introduced by J. Murphy

House Bill No. 23, introduced by Himsl, et al

House Bill No. 411, introduced by Mather, Bardanouve

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 9, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in as amended the following House bill, title and history agreed to and the bill is herewith returned to the House for concurrence in Senate amendments.

House Bill No. 98, introduced by Keller, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and allow the introduction, transmittal and/or reception of bills in the areas of reapportionment and reorganization through the fiftieth day. Motion carried.

Bardanouve, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 157.

Haines moved the previous question. Motion carried.

The motion by Bardanouve failed.

Harrison moved that House Bill No. 370 be taken from the Committee on State Administration and placed on Second Reading.

Healy requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion carried by the following vote:

Ayes: Aber, Anderson, Baeth, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fasbender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Patrick, Nelstad, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towle, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 62.

Noes: Ainsworth, Asbjornson, Aspevig, Clemow, Dye, Ellerd, Fagg, Falkenstern, Fitzgarrauld, Hemstad, Himsl, Johnston, Keller, Kvaalen, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy,

Nichols, Olson, Perry, Prevost, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf. Total 36.

Absent or not voting: Bardanouve, Giesick, McGrath, Mr. Speaker. Total 4.

Excused: Burnett, Jackson. Total 2.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 43, introduced by Hanks, Flynn. A bill for an act entitled: "An act amending Sections 94-1427 and 94-1428, R.C.M., 1947, to increase the amount a candidate may expend for himself for offices of the legislative assembly only." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 45, introduced by Mitchell, Northey, Klindt, Turnage, McGowan, Cotton, Bertsche, Gilfeather, Lowe: A bill for an act entitled: "An act amending Sections 26-1502, 26-1505, and 26-1507, R.C.M., 1947, and adding new sections establishing the policy of the State of Montana on protection of fishing streams, providing for submission of plans for construction and hydraulic projects affecting such streams to the Montana Fish and Game Commission, for review of such plans and exempting certain projects and parties." Referred to Committee on Environment and Resources.

Senate Bill No. 61, introduced by Turnage, Lynch: A bill for an act entitled: "An act to amend Section 95-1703, R.C.M., 1947, providing for dismissal of actions." Referred to Committee on Judiciary.

Senate Bill No. 95, introduced by Lynch, McKeon: A bill for an act entitled: "An act providing for parents surviving minor decedents in proceedings in lieu of probate where estates are less than ten thousand dollars (\$10,000), amending Sections 91-5301, 91-5304, 91-5305, 91-5308, and 91-5310, R.C.M., 1947." Referred to Committee on Judiciary.

Senate Bill No. 114, introduced by Bennett, Flynn, Stephens, Brownfield, Turnage, Sheehy: A bill for an act entitled: "An act to amend Title 69, Chapter 52, R.C.M., 1947, by amending Section 69-5201, R.C.M., 1947, by deleting subsection (2) (b), further defining long-term care facility to include intermediate care facility, and adding the term "construction" to the definitions; amending Section 69-5212, R.C.M., 1947, to require the filing of an application, and receiving approval from the State Department of Health for the construction of hospitals, hospital related facilities or long-term care facilities which shall be accomplished in a manner which is orderly, economical and consistent with the effective development of necessary and adequate facilities for providing for the health care of the people of Montana; and amending Section 69-5216, R.C.M., 1947, to clarify the development rules and standards for facilities and equipment." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 156, introduced by Lowe, Sheehy, Flynn, Hazelbaker: A bill for an act entitled: "An act to include payment for clothing and personal needs by the county for the care of dependent and neglected children, amending Sections 10-524 and 10-525, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 166, introduced by Rugg, Graham, Rostad, Mathers, McDonald, Brownfield, Mackay: A bill for an act entitled: "An act to amend Sections 46-801, 46-802, 46-803 and 46-804, R.C.M., 1947, to require inspection of livestock before a change of ownership." Referred to Committee on Livestock and Ranges.

Senate Bill No. 175, introduced by James, Rugg, Thiessen, Stein, Stephens, McGowan: A bill for an act entitled: "An act to amend Section 66-905, R.C.M., 1947, relating to the admission of dentists to practice in the state." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 176, introduced by James, Mackay, Goodheart: A bill for an act entitled: "An act to eliminate certain duplicate reporting requirements and provide that the Teachers' Retirement Board, the Montana Historical Society Board of Trustees, and the Montana State Bureau of Mines and Geology be subject to the same reporting requirements as are other state agencies under Section 82-4002, R.C.M., 1947; amending Sections 44-523, 75-2703, and 75-608, R.C.M., 1947." Referred to Committee on State Administration.

Senate Bill No. 185, introduced by Bertsche, Graham: A bill for an act entitled: "An act to amend Section 82-1002, Revised Codes of Montana, 1947, relating to the duties of the State Examiner and his assistants." Referred to Committee on State Administration.

Senate Bill No. 203, introduced by Sheehy, Reardon, Flynn, Goodheart: A bill for an act entitled: "An act providing for the conservation of the health of workers of the state; providing for prevention, abatement, and control of occupational diseases; providing penalties for violation; and repealing Sections 69-4201, 69-4202, 69-4203, and 69-4205, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

House Resolution No. 9, introduced by Gunderson, Quilici, Knudsen, Greely, Fagg, Bennett, Brown, Hall, Devine, McKittrick, Staigmiller, Hodges, Swanberg, Fasbender: A House Resolution expressing support of sheltered workshops in Montana. Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 599, introduced by Healy, Lundgren, Anderson, Lee, Harper, Lombardi, Lynch, Quilici, Brand, Aspevig, Johnston, McGrath, Mehrens, Kosena, Menahan, Christiansen, Clemow, Laas, T. Murphy, Shelden, Fleming: A bill for an act entitled: "An act appropriating four million, eighty thousand, six hundred seventy-five dollars (\$4,080,675) to the State Board of Education from the Long-range Building Program account, bond proceeds and insurance clearance fund, for the construction of a laboratory building at Montana College of Mineral Science and Technology at Butte, Montana, for the biennium ending June 30, 1973." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Committee arose. Anderson in the Chair.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend as follows:

That all Senate Bills and all Senate Joint Resolutions be passed for the day.

That House Bill No. 353 be amended in the title by striking the period and inserting the following: "and providing an effective date."

And, as amended, do pass.

That the Committee rise and report and beg leave to sit again.

ANDERSON, Chairman

Report adopted.

SPECIAL ORDERS OF THE DAY

The Speaker appointed the following committee to escort Congressman Shoup into the Chambers: Haines, Dye, Christiansen, Hall.

After a few words by Congressman Shoup, the committee escorted him out of the Chambers.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Anderson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill no. 462 be amended on page 2, section 1, line 5 of the Approved Business and Committee bill, after the word "rate" by striking the following material: "[, but may not exceed ninety dollars (\$90.00) per year]"

(Material in brackets denotes cancelled type.)

And, as amended, be passed to the bottom of the board.

That House Bill No. 531 be amended on page 3, section 2, line 1, after the word "the" by striking the word "[director]" and inserting in lieu thereof the word "commissioner", and

Further amend House Bill 531, page 4, section 5, line 22, after the word "misrepresentative" by striking the word "[or]" and inserting in lieu thereof the following words "or attempts to charge an unreasonable fee or is", and

Further amend House Bill 531, page 4, section 5, line 23, after the word and punctuation "act." by adding the following new material: "No fee shall be charged an applicant referred to a state employment office or any organization having exclusive hiring hall procedures as provided in the National Labor Relations Act.", and

Further amend House Bill 531, page 8, section 14, line 16, after the word "renewal" by striking the following material: "[, twenty-five dollars (\$25)]" and inserting in lieu thereof the following material: ", one hundred dollars (\$100)", and

Further amend House Bill 531, page 8, section 14, line 17, after the word and punctuation "license," by striking the following material: "[fifteen dollars (\$15)]" and inserting in lieu thereof the following material: "twenty-five dollars (\$25)", and

Further amend House Bill 531, page 11, after line 28, by adding a new subsection to read as follows: "(3) All license fees shall revert to Department of Labor and Industry to be used for administration of this act."

(Material in brackets denotes cancelled type.)

And, as amended, do pass.

That House Bill No. 551 be amended by striking in line 24 of page 1 of the Committee Approved bill the words and figures "twenty-one (21)" and inserting in lieu thereof "eighteen (18)"

And further amend in section 1 by striking in line 1, page 2 of the Committee approved bill the words and figures "twenty-one (21)" and inserting in lieu thereof the words and figures "eighteen (18)"

And, as so amended, do pass.

That House Bill No. 552 be passed for the day.

That House Bill No. 431 do pass.

That House Bill No. 430 do pass.

That House Bill No. 119 do not pass.

That House Bill No. 429 do pass.

That House Bill No. 432 do pass.

That House Bill No. 235 do not pass.

That House Bill No. 596 do pass.

That House Bill No. 428 do pass.

That House Bill No. 508 do pass.

That House Bill No. 314 be amended on page 1, line 7, of the title, by striking the words "or collected"

And further amend on line 8 by striking the words "or other person"

And, as amended, do pass.

That House Bill No. 528 do pass.

That House Bill No. 529 be amended in section 1, page 2, line 12, of the approved bill, after the word "is" by adding the following word: "not"

And be further amended in Section 1, by striking all material after the word "received" in line 14 and all material through line 20, and inserting in lieu thereof the following: "his actual and necessary expenses while in the performance of his duties during the interim. The provisions of this act do not apply to members of the Legislative Council while on business for the council, which shall be in addition to expenses paid under Section 43-714, R.C.M., 1947."

And, as amended, do pass.

That House Bill No. 177 do pass.

That House Bill No. 398 do pass.

That House Joint Resolution No. 23 do pass.

That House Joint Resolution No. 26 be passed for the day.

That House Bill No. 53 do not pass.

That House Bill No. 397 be amended in the title by striking the period and including the language "and providing an effective date."

And, as amended, do pass.

That House Bill No. 443 be moved to the bottom of the board.

That House Bill No. 452 do pass.

That the Committee rise and report.

ANDERSON, Chairman

Anderson moved for adoption of the Committee of the Whole report.

As a substitute motion, Patrick moved that House Bill No. 119 be

segregated. He requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion passed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bradley, Brand, Christiansen, Clemow, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Haines, Hall, Harper, Healy, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, Norman, Parrish, Patrick, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 49.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Harrison, Hemstad, Himsl, Keller, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Sverdsten, Swan, Ulmer, Warfield, Wolf, Mr. Speaker. Total 48.

Absent or not voting: Bardanouve, Gunderson, T. Murphy, Prevost, Spilde, Whitney. Total 6.

Excused: Jackson. Total 1.

Paired: Burnett, no; Hall, aye.

As a substitute motion, Selstad moved that House Bill No. 235 be segregated from the Committee of the Whole report. He requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Anderson, Devine, Fagg, Forester, Giesick, Glennen, Haines, Hemstad, Keller, Lien, Lockrem, Lombardi, McGrath, McNamer, Marks, J. Murphy, Nichols, Perry, Nelstead, Selstad, C. Smith, Swan, Wolf, Zimmer. Total 24.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lee, Lockwood, Lund, Lynch, McKittrick, Marbut, Mather, Mehrens, Menahan, Norman, Olson, Parrish, Patrick, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 72.

Absent or not voting: Bardanouve, Kosena, Lundgren, T. Murphy, E. Smith, Spilde. Total 6.

Excused: Burnett, Jackson. Total 2.

Thereupon, the Committee of the Whole report was adopted as amended.

MOTIONS AND RESOLUTIONS

Hall, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 507, moved that the House reconsider its action.

As a substitute motion, Scott moved that the motion to reconsider be laid on the table. Motion carried.

February 10, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 516.

MARKS, Chairman

Harrison made a motion that the House recess until 10:00 a.m., February 11, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

THIRTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 11, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Kendall, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Thirty-eighth Legislative day and find the same correct.

HARRISON, Chairman
CHRISTIANSSEN

REPORTS OF STANDING COMMITTEES

February 11, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 434, respectfully report as follows: That House Bill No. 434 be amended

Ulmer moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Amend the title, being page 1, line 5, following the word "for" by omitting the words "wholesaler and";

Further amend page 1, lines 27 through 30, and page 2, lines 1 and 2, subsection (c) by omitting that material in its entirety, and by renumbering subsection (d) to be subsection (c).

Amend page 2, following line 23, by inserting a new subsection which shall be as follows:

"(c) Purchases of table wines shall be made through the board at a cost to the retailer which reflects a minimum of twenty-five per cent (25%) less than the markup set by the board for the sale of such wine in its state stores.";

Further amend pages 2, 3, and 4 by omitting sections 4, 5, 6, and 7 in their entirety and by renumbering sections 8, 9, 10, and 11 to be sections 4, 5, 6, and 7.

Amend page 5, section 9 (now section 5), lines 24 through 27, following the word and punctuation "stores." by omitting the following sentence: "Table wines not listed for sale by the board shall be sold at retail prices bearing a mark-up not less than that for comparable listed items."

Amend page 6, line 1, by omitting subsection (a) in its entirety and by renumbering subsection (b) to be (a):

Further amend subsection (b) (now subsection (a)), following the word "retailer" by omitting the words and figures "fifty dollars (\$50)" and by inserting in lieu thereof the words and figures "two hundred dollars (\$200)";

Further amend page 6, following line 2, by inserting a new subsection which shall read as follows:

"(b) The license herein specified shall not apply to retailers holding a retail liquor license.";

Further amend page 6, section 11 (now section 7), line 11, following the word "wineries" by omitting the words "and wholesalers";

Further amend page 6, line 12 following the word "winery" by omitting the words "or wholesaler";

Further amend page 6, line 15, following the word and punctuation "specialties," by omitting the words and punctuation "and samples,";

Further amend page 6, lines 17 through 20, following the word and punctuation "thereto." by omitting the following sentence in its entirety: "The provisions of Section 4-170, R.C.M., 1947, shall not be deemed to apply to wineries selling to licensed wholesalers, or to licensed wholesalers selling to licensed retailers under this act."

ULMER, Chairman

Report adopted.

February 11, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 95, 256, 367, 411.

MARKS, Chairman

February 11, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 208, 429, 430, 431, 596, 353, 531.

MARKS, Chairman

February 11, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 10, 160, 369, 370, 472, 244, 104, 168, 384, 475, 503, 540, 589, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

MESSAGES FROM THE GOVERNOR

February 10, 1971

Honorable James P. Lucas
Speaker for the House
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed the following measures:

House Joint Resolution No. 4, and

House Bill No. 132.

Sincerely,

FORREST H. ANDERSON
Governor

February 10, 1971

Honorable James P. Lucas
Speaker for the House
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have signed the following two measures this day:

HJR No. 45, and H. B. 85.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

February 10, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 195, introduced by Keenan, McKeon

Senate Bill No. 196, introduced by Keenan, McKeon

Senate Bill No. 258, introduced by Goodheart, et al

Senate Bill No. 62, introduced by Turnage

Senate Bill No. 339, introduced by James, Moritz

Senate Bill No. 99, introduced by McDonald, et al

Senate Bill No. 92, introduced by Bennett, et al

Senate Bill No. 286, introduced by Lynch

Senate Bill No. 80, introduced by Graham, Rugg

Senate Bill No. 246, introduced by Bertsche, Moritz

Senate Bill No. 291, introduced by McKeon, Lynch, DeWolfe

Senate Bill No. 217, introduced by Cotton, et al

Senate Bill No. 325, introduced by McKeon

Senate Joint Resolution No. 24, introduced by Bennett, Mitchell, Turnage

Senate Joint Resolution No. 27, introduced by Sheehy

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Fagg moved that House Bill No. 552 be taken from Second Reading and be returned to Committee on Reapportionment. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 62, introduced by Turnage: A bill for an act entitled: "An act to amend Section 53-109, R.C.M., 1947, relating to the transfer of the title or interest of an owner or owners in or to a motor vehicle." Referred to Committee on Highways.

Senate Bill No. 80, introduced by Graham, Rugg: A bill for an act entitled: "An act to amend Sections 4-114 and 4-121, R.C.M., 1947, relating to the hours state liquor stores shall be open." Referred to Committee on State Administration.

Senate Bill No. 92, introduced by Bennett, Hibbard, McOmber, James, Cochrane: A bill for an act entitled: "An act establishing that the use of certain whole blood, plasma, blood products, and blood derivatives by physicians and hospitals for the purpose of injecting or transfusing any of them into the human body is a service and not a sale; providing that blood banks shall not be liable for such products disbursed by them in the absence of negligence if such products have been tested by certain testing procedures and found by such tests to not be dangerous to the health of a prospective recipient, and requiring the labeling by such blood banks of such products sold." Referred to Committee on Judiciary.

Senate Bill No. 99, introduced by McDonald, Lyon, Rehberg, Hafferman, Bertsche, Mitchell, Stein, Moore: A bill for an act entitled: "An act to provide that all salaries of members of the Highway Patrol be paid out of funds of the Highway Department." Referred to Committee on Highways.

Senate Bill No. 132, introduced by Sheehy, Lynch: A bill for an act entitled: "An act concerning consumer protection; defining deceptive trade practices; providing for damages for persons aggrieved by violations of this act; and providing a severability clause." Referred to Committee on Business and Industry.

Senate Bill No. 195, introduced by Keenan, McKeon: A bill for an act entitled: "An act relating to certificates of registration and ownership; amending Section 53-107, R.C.M., 1947." Referred to Committee on Highways.

Senate Bill No. 196, introduced by Keenan, McKeon: A bill for an act entitled: "An act amending Sections 53-101, 53-108, and 53-114, R.C.M., 1947, relating to the duties of the registrar of motor vehicles, renewal of registration of a motor vehicle and application for registration of motor vehicles." Referred to Committee on Highways.

Senate Bill No. 217, introduced by Cotton, Reardon, Sheehy, Lynch, Keenan, Flynn, James, Hazelbaker, Siderius, Mathers, Rugg, Goodheart, McKeon, Stephens: A bill for an act entitled: "An act to require common carriers by rail to maintain motor vehicles used for the transportation of workers in a safe condition; requiring the Board of Railroad Commissioners to make and enforce rules and regulations establishing minimum standards for such motor vehicles; providing a penalty for the violation of such regulations; and providing an effective date." Referred to Committee on Business and Industry.

Senate Bill No. 246, introduced by Bertsche, Moritz: A bill for an act entitled: "A bill to amend Section 10-611, R.C.M., 1947, by providing for temporary commitment to the Department of Institutions of a child of the

age of sixteen (16) or over for a period not to exceed thirty (30) days for the purpose of evaluation as to such child's suitability for commitment to a youth forest camp; providing for return to the court of such children found not suitable for such placement; providing for commitment to a youth forest camp of such children found suitable; providing for payment of transportation costs." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 258, introduced by Goodheart, Bollinger, Stephens, Sheehy: A bill for an act entitled: "An act to create a State Temporary Mosquito Abatement Advisory Council; and a vector control specialist position in the Department of Health to determine, review, initiate, and recommend a comprehensive mosquito abatement program for the State, and, in addition, review and assist vector control programs in a pilot project in the Milk River Valley area; a temporary act." Referred to Committee on Townships and Counties.

Senate Bill No. 286, introduced by Lynch: A bill for an act entitled: "An act to amend Section 91-403, R.C.M., 1947, relating to succession to and distribution of estates." Referred to Committee on Judiciary.

Senate Bill No. 291, introduced by McKeon, Lynch, DeWolfe: A bill for an act entitled: "An act to amend Section 16-2010, R.C.M., 1947, to permit counties to issue bonds for county hospital and medical facility purposes where such bonds, with all outstanding bonds and warrants, will not exceed five per centum of the value of the taxable property therein." Referred to Committee on Townships and Counties.

Senate Bill No. 325, introduced by McKeon: A bill for an act entitled: "An act to amend Section 4-108, R.C.M., 1947, providing salaries of state liquor employees." Referred to Committee on State Administration.

Senate Bill No. 339, introduced by James, Moritz: A bill for an act entitled: "An act to amend Section 79-1202, R.C.M., 1947, relating to moneys to be invested by the State Board of Land Commissioners by authorizing the Board to invest in first mortgages on unencumbered real property when such real property is leased by the mortgagor and the lease payments are guaranteed by any agency of the United States Government; repealing all acts or parts of acts in conflict herewith." Referred to Committee on State Administration.

Senate Joint Resolution No. 24, introduced by Bennett, Mitchell, Turnage: A Joint Resolution of the Senate and House of Representatives requesting the Legislative Council to study and evaluate the various state laboratories, their functions, responsibilities and degree of efficiency and to recommend such plans and programs necessary to provide Montana and her citizens with the best possible laboratory facilities, personnel, equipment, administration, and services. Referred to Committee on Public Health, Welfare and Safety.

Senate Joint Resolution No. 27, introduced by Sheehy: A Joint Resolution of the Senate and House of Representatives of the Forty-second Legislative Assembly of the State of Montana approving in principle the proposed Federal Family Assistance Act. Referred to Committee on Public Health, Welfare and Safety.

House Resolution No. 10, introduced by Fasbender, Harrison: A Resolution of the House of Representatives of the State of Montana directing the Department of Administration to provide adequate space for state printing facilities. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Committee arose. Giesick in the Chair.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That all Senate Bills and Senate Joint Resolutions be passed for the day.

That Senate amendments to House Bill No. 98 be passed for the day.

That House Joint Resolution No. 26 do pass.

That House Bill No. 70 do pass.

That House Bill No. 164 be amended in Section 2, subsection 3, page 2, following line 15 of the printed House Bill 164 by "Property owners" shall mean and will include both equitable owners and title holders of real property in the area to be annexed; whether such equitable interest or legal interest is held by a partnership, corporation, association, individual or individuals.

To further amend section 8, subsection 3, page 7, line 30, to read fifty-one (51) per cent "of the property owners in the area to be annexed" to stop.

To further amend section 8, subsection 11, page 9, following line 15 of the printed bill by "Once a proposed annexation has been defeated by petition, vote, or judicial action the municipality shall be precluded from reinstituting new annexation procedures in any area of the prior defeated annexation for a period of one year from the date of the defeat."

And, as amended, do not pass.

That House Bill No. 165 be passed to the bottom of the board.

That House Bill No. 182 do pass.

That House Bill No. 243 be amended on page 16, lines 3 through 9 by deleting the same said lines and inserting in lieu thereof the following material "If adequate proof exists that a bond is unobtainable for any reason other than lack of fiscal responsibility on the operator's part from any source, the licensee's obligation to supply such bond shall be suspended until such time as a source for bonding is obtained.", and

to further amend House Bill 243 on page 23, line 27, by deleting section 19 in its entirety and inserting in lieu thereof the following new section: "Section 19. No provision of this act shall be applicable to any exploration or mining work performed prior to the date of promulgation of the director's rules and regulations pursuant to Section 4 of this list, and further it shall not apply to any mining work which has been in continuous mining operation for the past five (5) years."

And, as amended, do pass.

That House Bill No. 293 do pass.

That House Bill No. 312 do not pass.

That House Bill No. 368 do pass.

That House Bill No. 453 do pass.

That House Bill No. 484 be amended in Section 2, line 21, of the approved Committee Bill by striking the period and adding the following: ", and members shall receive their actual and necessary expenses when on committee business from appropriations made to the Legislative Council."

And, as amended, do pass.

That House Bill No. 499 be amended on line 20, page 1, by deleting the word "and" and inserting in lieu thereof the word "in"

And, as amended, do pass.

That House Bill No. 530 do pass.

That House Bill No. 582 do pass.

That House Bill No. 455 do pass.

That House Bill No. 524 do pass.

That House Bill No. 501 be amended on line 9, page 3, of the Committee approved bill by striking the word "property"

And, as amended, do pass.

That House Bill No. 523 be amended in the title by striking the period and adding the following: "and providing an effective date."

And, as amended, do not pass.

That House Bill No. 563 do not pass.

That House Bill No. 562 do not pass.

That House Bill No. 361 be amended in section 1, sub-section b, by deleting on line 20 the words "track-driven",

And further amend in the title by striking the period and add the following: "and providing an effective date.",

And, as amended, do pass.

That House Bill No. 423 be amended on pages 1 through 10, of the introduced bill by omitting all of the material following the enacting clause and by inserting in lieu thereof the following material:

"Section 1. During the past several years the sale and distribution of harmful materials to minors has become a matter of increasingly grave concern to the people of the state. The sale and distribution of harmful material is expending greatly nationally. The elimination of such sales and the consequent protection of minors from harmful materials are in the best interests of the morals and general welfare of the citizens of this state, in general, and of minors in this state, in particular; and it is the intention of the legislative assembly that the accomplishment of these ends can best be achieved by providing a speedy civil remedy.

Section 2. Definitions. As used within this act, the following definitions shall apply:

(1) "Minor" means any person under the age of eighteen (18) years.

(2) "Harmful to minors" means that quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:

(a) predominantly appeals to the prurient, shameful or morbid interest of minors, and

(b) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable materials for minors, and

(c) is utterly without redeeming social importance.

(3) "Knowledge of nature of the material" means:

(a) knowledge of the character and content of any material described herein, or

(b) knowledge or information that the material described herein has been adjudged to be harmful to minors in the district in which the minor resides.

(4) "Knowledge of the minor's age" means:

(a) knowledge or information that the person is a minor, or

(b) reason to know, or a belief or ground for belief which warrants further inspection or inquiry as to the age of the minor.

(5) "Person" means any individual, partnership, firm, association, corporation or other legal entity.

(6) "Harmful material" means:

(a) any picture, photograph, drawing, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct or sado-masochistic abuse, and which is harmful to minors, or

(b) any book, pamphlet, magazine, or printed matter however reproduced which contains any matter enumerated in subparagraph (2) of this subsection or which contains explicit or detailed verbal descriptions or accounts of sexual excitement, sexual conduct or sado-masochistic abuse, and which, taken as a whole, is harmful to minors.

Section 3. Commencement of action. (1) Whenever a county attorney has reasonable cause to believe that:

(a) Any merchant or person is engaged in or may become engaged in selling any harmful material to minors, displaying harmful material in show windows or on shelves or racks in visual sight or areas accessible to by minors; or

(b) Is offering for sale or displaying in any public space accessible to minors any magazine, book, pamphlet or poster which shows or displays any portion of the breast above the nipple, pubic area or genitals without a full opaque covering on its cover or which would tend to be offensive to Section 2 of this act; or

(c) Is opening a business, office, sales area or other space or spaces exclusively for the sale, display, barter or trading of harmful material, or is openly advertising any such establishments, either through signs, radio, television or newspaper; or

(d) An adult is procuring harmful material or sexual motivating equipment for a gift or sale to a minor; he shall, in the county in which such material is sold, displayed, advertised, or offered for sale institute in the district court for that county for adjudication of the question of whether such material is harmful to minors and seek a permanent injunction against any person selling, commercially distributing, or giving away such material to minors or from permitting minors to inspect such material, in accordance with the Montana rules of civil procedure.

Section 4. Severability. If any provision of this act, or the application thereof to any person or circumstances, is held to be invalid, that invalidity shall not affect any other provision of this act which can be given effect without the invalid provision. To this end the provisions, clauses, sentences, paragraphs, sections, phrases and parts of this act are declared to be severable.

And, as amended, do pass.

That House Bill No. 265 do pass.

That House Bill No. 273 do pass.

That House Bill No. 580 do pass.

That House Bill No. 31 do pass.

That House Joint Resolution No. 49 do pass.

That House Bill No. 473 do pass.

That House Bill No. 462 do pass.

That House Bill No. 443 be passed for the day.

That House Bill No. 119 be indefinitely postponed.

That House Bill No. 10 be moved to the bottom of the board.

That the Committee rise and report and beg leave to sit again.

GIESICK, Chairman

Giesick moved for adoption of the Committee of the Whole report.

As a substitute motion, Harrison moved that House Bill No. 530 be segregated from the Committee of the Whole report. Motion carried.

As a substitute motion, Brand moved that House Bill No. 523 be segregated. He requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Brand, Brown, Christiansen, Cox, Eggebrecht, Fagg, Giesick, Gunderson, Haines, Harper, Hemstad, Hodges, Johnston, Keller, Knudsen, Kolstad, Kvaalen, Lee, Lien, Lombardi, Lynch, McGrath, McNamer, Mehrens, Menahan, T. Murphy, Nichols, Norman, Perry, Prevost, Quilici, Scott, Selstad, Shelden, E. Smith, Snortland, Staig-miller, Towe, Watt, Wolf, Yardley, Zody. Total 45.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Bradley, Burnett, Campbell, Clemow, Darrow, Devine, Dye, East, Edland, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Hall, Harrison, Healy, Himsl, Jackson, Kendall, Kosena, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McKittrick, Marks, Mather, J. Murphy, Olson, Parrish, Patrick, Nelstead, Schoonover, C. Smith, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Weeding, Whitney, Worden, Zimmer, Mr. Speaker. Total 56.

Absent or not voting: Bardanouve, Marbut, Robbins. Total 3.

Excused: None.

As a substitute motion, Lynch moved that House Bill No. 455 be segregated from the Committee of the Whole report with a roll call vote being requested and the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aspevig, Baeth, Bardanouve, Brand, Christiansen, Clemow, Devine, Eggebrecht, Fasbender, Gerke, Greely, Hall, Harper, Healy, Knudsen, Kolstad, Kosena, Laas, Lee, Lombardi, Lynch, McGrath, McKit-trick, Marks, Mehrens, Menahan, Norman, Quilici, Robbins, Shelden, Swan, Towe, Watt. Total 33.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Bennett, Bradley, Brown, Burnett, Campbell, Cox, Darrow, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Gunderson, Haines, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McNamer, Mather, J. Murphy, T. Murphy, Nichols, Olson, Parrish, Perry, Nelstead, Prevost, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staig-miller, Sverdsten, Swanberg, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 69.

Absent or not voting: Marbut, Patrick. Total 2.

Excused: None.

As a substitute motion, Hall moved that House Bill No. 312 be segregated from the Committee of the Whole report. He requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bradley, Brand, Christiansen, Devine, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Harper, Healy, Hodges, Jackson, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 46.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Hall, Harrison, Hemstad, Himsl, Johnston, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 54.

Absent or not voting: Bardanoue, Cox, Edland, Warfield. Total 4.

Excused: None.

As a substitute motion, Fagg moved that House Bill No. 164 be segregated from the Committee of the Whole report and that a roll call vote be taken with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Haines moved the previous question. Motion carried.

The substitute motion passed by the following vote:

Ayes: Aber, Anderson, Aspevig, Baeth, Bardanoue, Bradley, Brand, Burnett, Christiansen, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fleming, Forester, Glennen, Greely, Gunderson, Hall, Himsl, Hodges, Johnston, Kendall, Knudsen, Laas, Lien, Lockwood, Lund, Lundgren, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, T. Murphy, Norman, Parrish, Nelstead, Schoonover, E. Smith, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Yardley, Zody, Mr. Speaker. Total 54.

Noes: Ainsworth, Asbjornson, Bennett, Campbell, Clemow, East, Falkenstern, Fitzgarrald, Gerke, Giesick, Haines, Harper, Harrison, Healy, Hemstad, Jackson, Kolstad, Kvaalen, Lanthorn, Lee, Lockrem, Lombardi, Lynch, McNamer, J. Murphy, Nichols, Olson, Patrick, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Sverdsten, Swan, Weeding, Whitney, Wolf, Worden, Zimmer. Total 44.

Absent or not voting: Brown, Cox, Keller, Kosena, Menahan, Perry. Total 6.

Excused: None.

Giesick then moved that the Committee of the Whole report be adopted as amended. Motion carried.

I have examined House Bill No. 411 introduced by me and find the same to be correct.

MATHER

I have examined House Bill No. 95 introduced by me and find the same to be correct.

BARDANOUE

I have examined House Bill No. 267 introduced by me and find the same to be correct.

KNUDSEN

I have examined House Bill No. 133 introduced by me and find the same to be correct.

BARDANOUE

I have examined House Bill No. 228 introduced by me and find the same to be correct.

WARFIELD

I have examined House Bill No. 134 introduced by me and find the same to be correct.

BARDANOUE

I have examined House Bill No. 256 introduced by me and find the same to be correct.

GUNDERSON

The Speaker signed in open session, the following bills: House Bills Nos. 256, 134, 228, 133, 267, 95, 411.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow all bills now favorably reported out of committee to be considered without copies having been on the desks for one day and further that all bills may be considered on both Second and Third Reading on the same day Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Committee arose. Giesick in the Chair.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 160 do pass.

That House Bill No. 369 be amended on page 1, line 4 of the printed bill, after the word "a" by striking the word "[tax]" and inserting in lieu thereof the words "license fee", and

Further amend House Bill No. 369 on page 1, line 5 of the printed bill, after the word "signs," by striking the following words: "[establish taxable rates and classifications]" and inserting in lieu thereof the following words: "rate schedules", and

Further amend House Bill No. 369 on page 1, line 7 of the printed bill, after the word "county" by striking the word "[assessors]" and inserting in lieu thereof the word "treasurers", and

Further amend House Bill 369 on page 1, line 8 of the printed bill, before the word "providing" by striking the words "[tax receipts]" and inserting in lieu thereof the words "license fees", and

Further amend House Bill 369 in section 1, page 1, line 15 of the

printed bill, after the word "be" by striking the words "[assessed and taxed to]" and inserting in lieu thereof the words "licensed and fee paid by", and

Further amend House Bill 369 in section 1, page 1, line 16 of the printed bill, after the word "said" by striking the word "[tax]" and inserting in lieu thereof the words "license fee", and

Further amend House Bill 369 in section 1, page 1, line 18 of the printed bill, after the word "county" by striking the word "[assessor]" and inserting in lieu thereof the word "treasurer", and

Further amend House Bill 369 in section 2, page 1, line 22 of the printed bill, after the word "name" by striking the word "[or]" and inserting in lieu thereof the word "of", and

Further amend House Bill 369 in section 2, page 1, line 23 of the bill, after the word "service" by striking the following material: "[including signs affixed]" and inserting in lieu thereof the following material: "excluding signs affixed flatly" and

Further amend House Bill 369 in section 2, line 23 of the bill, on page 1, after the word "service" by striking the word "[including]" and inserting in lieu thereof the word "excluding"

Further amend House Bill 369 in section 2, page 1, line 23 of the bill, after the word "affixed" by adding the word "flatly"

Further amend House Bill 369 in section 2, page 1, line 25 of the bill, after the word "building" by adding the following material: ", and excluding signs on moving vehicles or equipment", and

Further amend House Bill 369 in section 3, page 2, line 6 of the bill, after the word "signs" by adding the following material: "except those of fifteen hundred (1,500) square inches or less of visual impact area", and

Further amend House Bill 369 in section 3, page 2, line 6 of the bill, after the word "county" by striking the word "[assessor]" and inserting in lieu thereof the word "treasurer", and

Further amend House Bill 369 in section 3, page 2, line 10 of the bill, before the word "stating" by striking the word "[assessor]" and inserting in lieu thereof the word "treasurer", and

Further amend House Bill 369 in section 3, page 2, line 13 of the bill, after the word "the" by striking the word "[assessor]" and inserting in lieu thereof the word "treasurer", and

Further amend House Bill 369 in section 4, page 2, line 22 of the bill, after the word "Rate" by striking the words "[of Taxation]", and

Further amend House Bill 369 in section 4, page 2, line 23 of the bill, after the word "be" by striking the word "[taxed]" and inserting in lieu thereof the word "licensed", and

Further amend House Bill 369 in section 4, page 2, line 29 of the bill, after the word "over" by striking the following material: "[1,500]" and inserting in lieu thereof the following material: "thirty-five hundred (3,500)", and

Further amend House Bill 369 in section 4, subsection (a), page 2, line 24 of the bill, after the word "less" by striking the comma "[,]" and inserting the following material: "of visual impact area", and

Further amend House Bill 369 in section 4, subsection (a), page 2, line 25 of the bill, after the word "be" by striking the word "[taxed]" and inserting in lieu thereof the word "licensed", and

Further amend House Bill 369 in section 4, subsection (a), page 2, line 28 of the bill, after the word "paid" by inserting the following material: "which also shall be the minimum rate for all signs liable to the license fee", and

Further amend House Bill 369 in section 4, subsection (b), page 2, line 29 of the bill, after the word "over" by striking the following material "[1,500]" and inserting in lieu thereof the following material: "thirty-five hundred (3,500)", and

Further amend House Bill 369 in section 4, subsection (b), page 2, line 29 of the bill, after the word "be" by striking the word "[taxed]" and inserting in lieu thereof the word "licensed", and

Further amend House Bill 369 in section 4, subsection (b), page 3, line 1 of the bill, after the figures "(3,500)" by inserting the following material: "square inches of visual impact area", and

Further amend House Bill 369 in section 4, subsection (b), page 3, line 2 of the bill, after the figures "(5,000)" by adding the following material: "square inches of visual impact area", and

Further amend House Bill 369 in section 4, subsection (b), page 3, line 3 of the bill, after the figures "(15,000)" by adding the following material: "square inches of visual impact area", and

Further amend House Bill 369 in section 4, subsection (b), page 3, line 5 of the printed bill, after the figures "(25,000)" by adding the following material: "square inches of visual impact area", and

Further amend House Bill 369 in section 4, subsection (c), page 3, line 6 of the printed bill, after the word "the" by striking the word "[tax]" and inserting in lieu thereof the word "license", and

Further amend House Bill 369 in section 4, subsection (c), page 3, line 7 of the printed bill, after the word "the" by striking the word "[tax]" and inserting in lieu thereof the word "license", and

Further amend House Bill 369 in section 4, subsection (d), page 3, line 9 of the printed bill, after the word "the" by striking the word "[tax]" and inserting in lieu thereof the word "license", and

Further amend House Bill 369 in section 4, subsection (d), page 3, line 10 of the printed bill, after the word "the" by striking the word "[tax]" and inserting in lieu thereof the word "license", and

Further amend House Bill 369 in section 5, page 3, line 14 of the printed bill, after the word "of" by striking the word "[Tax]" and inserting in lieu thereof the words "License Fees", and

Further amend House Bill 369 in section 5, page 3, subsection (a), line 14 of the printed bill, after the word "All" by striking the word "[taxes]" and inserting in lieu thereof the words "license fees", and

Further amend House Bill 369 in section 5, subsection (a), page 3, line 17 of the printed bill, after the word "deducted." by adding the following material: "County commissioners may authorize use of any necessary portion of the proceeds of this license fee for removal of unclaimed signs.", and

Further amend House Bill 369 in section 5, subsection (b), page 3, line 18 of the printed bill, before the word "paid" by striking the word "[Taxes]" and inserting in lieu thereof the words "License fees",

(Material in brackets denotes cancelled type.)

And, as amended, do not pass.

That House Bill No. 472 do pass.

That House Bill No. 244 do pass.

That House Bill No. 104 do pass.

That House Bill No. 384 be amended in Section 1, subsection (2), page 3, line 11, by omitting subsection reference "(g)" and by inserting in lieu thereof the subsection reference "(3)" and by renumbering present subsections (3) through (11) to be subsections (4) through (12).

Amend Section 1, present subsection (4) (a), renumbered subsection (5) (a), page 4, line 19, following the word "authorizing" by omitting the words "or approving".

Amend Section 1, present subsection (4) (c) (i), renumbered subsection (5) (c) (i), page 6, line 6, following the figure "4" by omitting the punctuation and letter "(c)" and by inserting in lieu thereof the punctuation and letter "(d)".

Amend Section 1, present subsection (4) (f), renumbered subsection (5) (f), page 7, line 17, by omitting the words "or approve".

And, as amended, do pass.

That House Bill No. 503 do pass.

That House Bill No. 10 be moved to the bottom of the board.

That House Bill No. 15 be amended on line 7, page 1 of the title of the bill by adding the following numbers, "75-7115, 75-7116, 75-7119 and 75-7121"

And further amend House Bill No. 15 on page 5, following line 17, by adding the following numbers, "75-7115, 75-7116, 75-7119 and 75-7121"

And further amend House Bill No. 15 on page 7, line 18 of the bill after the figures and punctuation "75-7115", by adding the following new material "75-7116, 75-7119 and 75-7121"

And further amend House Bill No. 15 on page 7, line 20, by adding the following new material "75-7115. Preparation and form of ballots for bond election. The school district shall cause ballots to be prepared for all bond elections, and whenever bonds for more than one (1) purpose are to be voted upon at the same election, separate ballots shall be prepared for each purpose. All such ballots shall be substantially in the following form:

OFFICIAL BALLOT SCHOOL DISTRICT BOND ELECTION

INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words "BONDS—YES" if you wish to vote for the bond issue; if you are opposed to the bond issue make an X or similar mark in the square before the words "BONDS—NO". Shall the board of trustees be authorized to issue and sell bonds of this school district in the amount ofdollars (\$.....) bearing interest at a rate not more than [six per cent (6%)] eight per cent (8%) per annum, payable semi-annually, during a period not more thanyears, for the purpose (here state the purpose the same way as in the notice of election).

..... BONDS — YES

..... BONDS — NO

Section 9. Section 75-7116, R.C.M., 1947, is amended to read as follows: "75-7116. Notice of bond election by separate purpose. Any school district

bond election shall be conducted in accordance with the school election provisions of this title except that the election notice required therein shall be in substantially the following form:

NOTICE OF SCHOOL DISTRICT BOND ELECTION

Notice is hereby given by the trustees of School District No. _____ of _____ County, State of Montana, that pursuant to a certain resolution duly adopted at a meeting of the board of trustees of said school district held on the _____ day of _____, A.D., 19_____, an election of the registered electors of School District No. _____ of _____ County, State of Montana, who are taxpayers therein and whose names appear on the last completed assessment roll for state, county and school district taxes prior to the holding of such election, will be held on the _____ day of _____, A.D., 19_____, at _____ for the purpose of voting upon the question of whether or not the trustees shall be authorized to issue and sell bonds of said school district in the amount of _____ dollars (\$_____), bearing interest at a rate not more than [six per cent (6%)] eight per cent (8%) per annum, payable semiannually, for the purpose of _____ (here state purpose). The bonds to be issued will be either amortization or serial bonds, and amortization bonds will be the first choice of the board of trustees. The bonds to be issued, whether amortization or serial bonds, will be payable in installments over a period not exceeding _____ (state number) years.

The polls will be open from _____ o'clock _____ m. and until _____ o'clock _____ m. of the said day.

Dated and posted this _____ day of _____, A.D., 19_____.

Chairman of School District No. _____
of _____ County,
State of Montana

If the bonds proposed to be issued are for more than one purpose, then each purpose shall be separately stated in the notice together with the proposed amount of bonds therefor."

Section 10. Section 75-7119, R.C.M., 1947, is amended to read as follows: "75-7119. Notice of sale of school district bonds. The trustees shall cause the notice of the sale of the bonds to be given. The notice shall state the purpose for which the bonds are to be issued and the amount proposed to be issued, and shall be substantially in the following form:

NOTICE OF SALE OF SCHOOL DISTRICT BONDS

Notice is hereby given by the trustees of School District No. _____ of _____ County, State of Montana, that the said trustees will on the _____ day of _____, 19_____, at the hour of _____ o'clock _____ m. at _____, in the said school district, sell to the highest and best bidder for cash, either amortization or serial bonds of the said school district in the total amount of _____ dollars (\$_____), for the purpose of _____.

Amortization bonds will be the first choice and serial bonds will be the second choice of the trustees.

If amortization bonds are sold and issued, the entire issue may be put into one single bond or divided into several bonds, as the trustees may determine upon at the time of sale, both principal and interest to be payable in semiannual installments during a period of _____ years from the date of issue.

If serial bonds are issued and sold they will be in the amount of _____ dollars (\$_____ each, except the first bond which will be in the amount of _____ dollars (\$_____), the sum of _____.

dollars (\$.....) of the said serial bonds will become payable on the day of, 19....., and the sum of dollars (\$.....) will become payable on the same day each year thereafter until all of such bonds are paid.

The bonds, whether amortization or serial bonds, will bear date of, 19....., and will bear interest at a rate not exceeding [six per cent (6%)] eight per cent (8%) per annum, payable semiannually, on the day of (month) and (month) in each year, and will be redeemable in full. (here insert optional provisions, if any, to be recited on the bonds.)

The bonds will be sold for not less than their par value with accrued interest, and all bidders must state the lowest rate of interest at which they will purchase the bonds at par. Such bonds shall be sold in open competition bidding, by written bids, or by sealed bids. The trustees reserve the right to reject any and all bids and to sell the said bonds at private sale.

All bids other than by or on behalf of the state board of land commissioners must be accompanied by money, a certified check, cashier's check, bank money order or bank draft, drawn and issued by a national banking association located in Montana or by any banking corporation incorporated under the laws of Montana, in the sum of dollars (\$.....) payable to the order of the district, which will be forfeited by the successful bidder in the event that he shall refuse to purchase the bonds.

All bids should be addressed to the undersigned districts.

Chairman of School District No.....
of County
Address:

ATTEST:

Subscribed and sworn to before me
this day of, 19.....
Notary Public for the State
Residing at, Montana.
My Commission expires"

Section 11. Section 75-7121, R.C.M., 1947, is amended to read as follows: "75-7121. Sale of school district bonds. The trustees shall meet at the time and place fixed in the notice to consider bids on the bond issue. The bonds shall be sold at not less than par and accrued interest and each bidder shall specify the form of bonds to be issued, whether amortization or serial, and the rate of interest at which he will purchase the bonds. A bid for amortization bonds shall have the preference over a bid for serial bonds, all other things being equal; and in considering bids on these classes of bonds, the trustees shall take into consideration not only the rate of interest demanded on each kind, but also every other known element affecting the total cost of the bonds to the district when paid in full. The trustees shall accept the bid which they shall judge most advantageous to the school district; provided, that no bid shall be accepted which will require the bonds to bear a rate of interest exceeding [six per cent (6%)] eight per cent (8%) per annum. No attorney fees, brokerage or other fees, or commissions of any kind shall be paid to any person or corporation for assisting in the proceedings or in the preparation of the bonds, or in negotiating the sale. The trustees are authorized to reject any or all bids and to sell the bonds at private sale if they deem it for the best interests of the school district except that such bonds shall not be sold at less than par and accrued interest."

And further amend House Bill No. 15, on line 4, page 13, Section 7, by changing the number to Section 12"

(Material in brackets denotes cancelled type.)

And, as amended, do pass.

That House Bill No. 589 do pass.

That House Bill No. 165 do not pass.

That House Bill No. 164 do not pass.

That House Bill No. 168 do pass.

That House Bill No. 475 do pass.

That House Bill No. 370 do not pass.

That House Bill No. 540 do pass.

That House Bill No. 530 be amended as approved by the Ways and Means Committee on February 9, 1971, in section 3, page 1, of the bill, on line 28, after the word "dollars" by striking the following material: "[two thousand dollars (\$2,000)]" and inserting in lieu thereof the following material: "four thousand dollars (\$4,000)", and

Further amend in section 4, subsection (1), page 2, line 14 of the bill, after the word "assessed" by inserting the following material: "and has not changed ownerships and no option has been executed by which the ownership could be changed," and

Further amend in section 4, subsection (2), page 2, line 23 of the bill, after the figures "[(\$500)]" by striking the following material: "[two thousand dollars (\$2,000)]" and inserting in lieu thereof the following material: "four thousand dollars (\$4,000)", and

Further amend in section 6, subsection 4, page 5, line 2 of the bill, after the word "by" by striking the following material: "[thirty per cent (30%) to arrive at taxable value and then multiplying the taxable value by]"

(Material in brackets denotes cancelled type.)

And, as amended, do pass.

That House Bill No. 10 be amended in the title at line 9, page 1, by striking (.) and inserting after the word "board": the words ", and providing an effective date."

Further amend Section 1 at lines 12 and 13, page 2 by deleting the words "or in the discharge of other board duties when assigned by the board."

Further amend at lines 15 and 16, page 2 by deleting the words, "or in the discharge of other board duties when assigned by the board"

And, as amended, do pass.

That House Bill No. 434 be passed for the day.

That the Committee rise and report.

GIESICK, Chairman

Giesick moved for adoption of the Committee of the Whole report.

As a substitute motion, J. Murphy moved that House Bill No. 165 be segregated from the Committee of the Whole report. A roll call vote was requested with the Ayes and Nays spread on the Journal. Sufficient seconds arose. The motion failed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Brown, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Glennen, Haines, Hemstad, Keller, Kolstad, Kvaalen, Lockrem, Lockwood, Lund, Lundgren, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Nelstead, Scott, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 45.

Noes: Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Giesick, Greely, Gunderson, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lanthorn, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Perry, Prevost, Quilici, Schoonover, Selstad, Shelden, Staigmler, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 57.

Absent or not voting: Harrison, Robbins. Total 2.

Excused: None.

Paired: Gerke, no; J. Murphy, aye.

As a substitute motion, Healy moved that House Bill No. 370 be segregated from the Committee of the Whole. A roll call vote was requested with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Patrick, Prevost, Quilici, Schoonover, Shelden, Staigmler, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 55.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Hemstad, Himsl, Keller, Kvaalen, Lockrem, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 45.

Absent or not voting: Ellerd, Lockwood, Robbins, Spilde. Total 4.

Excused: None.

Paired: Dye, no; Gerke, aye.

As a substitute motion, Fasbender moved that House Bill No. 164 be segregated and the Committee of the Whole report be adopted as amended.

Towe requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose. The motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brown, Christiansen, Cox, Darrow, Devine, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fleming, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Laas, Lee, Lien, Lockwood, Lombardi, Lundgren, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Schoonover, Shelden, E. Smith, Staigmler, Swanberg, Towe, Watt, Weeding, Yardley, Zody, Mr. Speaker. Total 50.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brand, Burnett, Campbell, Clemow, Dye, East, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kosena,

Kvaalen, Lanthorn, Lockrem, Lund, Lynch, McNamer, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Zimmer. Total 51.

Absent or not voting: Gerke, Marks, Robbins. Total 3.

Excused: None.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Committee arose. Giesick in the Chair.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 370 do not pass.

That the Committee rise and report.

GIESICK, Chairman

Giesick moved for adoption of the Committee of the Whole report.

Healy, as a substitute motion, moved that the Report be not adopted. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the substitute motion passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greeley, Gundersen, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lanthorn, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Patrick, Prevost, Quilici, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 51.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 49.

Absent or not voting: Bennett, Haines, Robbins, Spilde. Total 4.

Excused: None.

Paired: Gerke, aye; Dye, no.

Harrison moved that the House adjourn until 11:30 a.m., February 12, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FORTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 12, 1971

House convened, pursuant to adjournment, at 11:30 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Thirty-ninth Legislative Day and find the same to be correct.

HARRISON, Chairman
CHRISTIANSEN

I have examined House Bill No. 23, introduced by me, and find the same to be correct.

HIMSL

I have examined House Bill No. 184, introduced by me, and find the same to be correct.

MURPHY

The Speaker signed the following bills in open session: House Bills Nos. 23, 184.

REPORTS OF STANDING COMMITTEES

February 11, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 177, 428, 551, 397, and House Joint Resolution No. 23.

MARKS, Chairman

February 11, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 314, 524, 368, 508, 528, 452, 582, 70, 432, 455, 182, 462, 31, 473, 293, and House Joint Resolutions Nos. 26, 49.

MARKS, Chairman

February 12, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 540, 589, 10, 15, 361, 384, 423, 501, 530, 104, 160, 168, 244, 273, 472.

MARKS, Chairman

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend its Rules and consider all bills on Third Reading this day correctly engrossed and further that the House waive the requirement that the engrossing report be read one day previous. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 31 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Johnston, Keller, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Hodges, Jackson, Lien, Lynch, Parrish. Total 5.

Absent or not voting: Kendall, Kolstad. Total 2.

Excused: None.

House Bill No. 70 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McGrath, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Brand, Hall, Harper, Johnston, Lee, Lombardi, Lynch, McKittrick, McNamer, Quilici, Staigmiller, Sverdsten, Weeding, Whitney. Total 14.

Absent or not voting: None.

Excused: None.

House Bill No. 174 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Norman, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, E. B. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Asbjornson, Brown, Cox, Dye, Fitzgarrald, Keller, Kvaalen, Mather, Nichols, Olson, Perry, Prevost, Selstad, C. M. Smith, Spilde, Ulmer. Total 16.

Absent or not voting: None.

Excused: None.

House Bill No. 177 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: Ulmer. Total 1.

Absent or not voting: Sverdsten. Total 1.

House Bill No. 182 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, Snortland, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 80.

Noes: Aber, Burnett, Clemow, East, Falkenstern, Harper, Healy, Hemstad, Jackson, Lee, Lien, Lombardi, Lynch, McGrath, Marks, Perry, Robbins, C. Smith, E. Smith, Spilde, Sverdsten, Weeding, Whitney, Wolf. Total 24.

Absent or not voting: None.

Excused: None.

House Bill No. 208 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Clemow, Greely, Hemstad, Johnston, McKittrick, Parrish, Schoon-over, Scott, Staigmiller, Wolf. Total 10.

Absent or not voting: None.

Excused: None.

House Bill No. 243 was passed by the following vote:

Ayes: Aber, Ainsworth, Bardanouve, Bradley, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, Eggebrecht, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Healy, Hemstad, Himsl, Hodges, Johnston, Kosena, Kvaalen, Lockrem, Lockwood, Lund, Lundgren, McKittrick, Mather, Nichols, Norman, Parrish, Prevost, Robbins, Schoonover, Scott, E. Smith, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 57.

Noes: Anderson, Asbjornson, Aspevig, Baeth, Bennett, Brand, Clemow, East, Edland, Ellerd, Falkenstern, Haines, Harper, Harrison, Jackson, Keller, Kendall, Knudsen, Kolstad, Laas, Lanthorn, Lee, Lien, Lombardi, Lynch, McGrath, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Olson, Patrick, Perry, Nelstead, Quilici, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Whitney, Worden. Total 46.

Absent or not voting: Shelden. Total 1.

Excused: None.

House Bill No. 249 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Aber, Burnett, Cox, Keller, Perry, Robbins, Scott, E. Smith, Swan, Whitney, Wolf. Total 11.

Absent or not voting: Lundgren. Total 1.

Excused: None.

House Bill No. 265 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Himsl, Jackson, Johnston, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lund, Lundgren, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Robbins, Schoonover, Scott, Shelden, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 74.

Noes: Aber, Anderson, Burnett, Devine, East, Falkenstern, Forester, Harper, Healy, Hemstad, Keller, Kolstad, Lee, Lockrem, Lombardi, Lynch, McGrath, Perry, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Whitney, Wolf. Total 28.

Absent or not voting: Hodges, Mr. Speaker. Total 2.

Excused: None.

House Bill No. 293 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 80.

Noes: Anderson, Brand, Clemow, Eggebrecht, Forester, Harper, Healy, Jackson, Knudsen, Lanthorn, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, Prevost, Quilici, Snortland, Spilde. Total 22.

Absent or not voting: Cox, Mr. Speaker. Total 2.

Excused: None.

House Bill No. 308 was passed by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staig-miller, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 89.

Noes: Aber, Ainsworth, Burnett, Campbell, Kvaalen, Lien, McNamer, C. Smith, Sverdsten, Swan, Ulmer, Whitney, Wolf. Total 13.

Absent or not voting: Spilde, Mr. Speaker. Total 2.

Excused: None.

House Bill No. 314 failed to pass by the following vote:

Ayes: Baeth, Bradley, Brand, Christiansen, Devine, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Haines, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Kosena, Lee, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staig-miller, Swanberg, Towe, Weeding, Yardley, Zimmer, Zody. Total 43.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bardanouve, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Harrison, Hemstad, Himsl, Keller, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 60.

Absent or not voting: Watt. Total 1.

Excused: None.

House Bill No. 316 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lien, Lockrem, Lockwood, Lund, Lundgren, McKittrick, McNamer, Marbut, Marks, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Robbins, Schoonover, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 82.

Noes: Dye, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Laas, Lanthorn, Lee, Lombardi, Lynch, McGrath, Mather, Mehrens, Menahan, Patrick, Perry, Quilici, Scott, Selstad, Wolf. Total 22.

Absent or not voting: None.

Excused: None.

House Bill No. 326 was passed by the following vote:

Ayes: Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Edland, Fagg, Fasbender, Fleming, Gerke, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Lanthorn, Lee, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Staigmillar, Swanberg, Towe, Warfield, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 65.

Noes: Aber, Ainsworth, Aspevig, Burnett, Campbell, Dye, East, Eggebrecht, Ellerd, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Hemstad, Himsl, Keller, Kvaalen, Laas, Lien, Lockrem, Lockwood, Lund, Marks, J. Murphy, Nichols, Patrick, Perry, Prevost, Selstad, C. Smith, E. Smith, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf, Worden. Total 39.

Absent or not voting: None.

Excused: None.

House Bill No. 333 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Swan, Towe, Ulmer, Warfield, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Falkenstern, Fasbender, Hall, Swanberg, Watt, Whitney. Total 6.

Absent or not voting: Sverdsten. Total 1.

Excused: None.

House Bill No. 353 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Darrow, Devine, Dye, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Greely, Gunderson, Haines, Hall, Harrison, Himsl, Hodges, Keller, Kendall, Kvaalen, Lockrem, Lockwood, Lund, Lundgren, J. Murphy, Nichols, Parrish, Patrick, Perry, Nelstead, Schoonover, Scott, Selstad, C. Smith, E. Smith, Swan, Swanberg, Ulmer, Warfield, Watt, Whitney, Worden, Yardley, Mr. Speaker. Total 56.

Noes: Anderson, Baeth, Bardanouve, Brand, Clemow, Cox, East, Eggebrecht, Fasbender, Glennen, Harper, Healy, Hemstad, Jackson, Johnston, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Prevost, Quilici, Robbins, Shelden, Snortland, Spilde, Staigmiller, Sverdsten, Towe, Weeding, Wolf, Zimmer, Zody. Total 48.

Absent or not voting: None.

Excused: None.

House Bill No. 358 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Darrow, Devine, Dye, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Jackson, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Weeding, Worden, Yardley, Zimmer, Zody. Total 75.

Noes: Anderson, Bardanouve, Burnett, Clemow, Cox, East, Edland, Falkenstern, Forester, Hemstad, Himsl, Johnston, Knudsen, Kvaalen, Lien, Lund, McNamer, Marbut, Marks, T. Murphy, Perry, Snortland, Spilde, Swan, Warfield, Watt, Whitney, Wolf, Mr. Speaker. Total 29.

Absent or not voting: None.

Excused: None.

House Bill No. 368 was passed by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lockwood, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 87.

Noes: Aber, Bennett, Burnett, Clemow, Ellerd, Himsl, Lanthorn, Lombardi, Lundgren, Marks, Mehrens, J. Murphy, Selstad, C. Smith, Spilde, Wolf. Total 16.

Absent or not voting: Ainsworth. Total 1.

Excused: None.

House Bill No. 390 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Harrison, Hemstad, Himsl, Johnston, Keller, Kendall, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McGrath, McKittrick, McNamer, Marks, Mather, J. Murphy, T. Murphy, Olson, Patrick, Perry, Nelstead, Prevost, Robbins, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 76.

Noes: Baeth, Bardanoue, Brand, Cox, Darrow, Fitzgarrald, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Kosena, Lee, Lombardi, Lynch, Marbut, Mehrens, Menahan, Nichols, Norman, Parrish, Quilici, Schoonover, Scott, Shelden, Staigmilller, Mr. Speaker. Total 28.

Absent or not voting: None.

Excused: None.

House Bill No. 397 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: Aber, Burnett, Lynch, Weeding. Total 4.

Absent or not voting: Fleming, Forester. Total 2.

Excused: None.

House Bill No. 410 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 104.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 428 failed to pass by the following vote:

Ayes: Anderson, Asbjornson, Bennett, Brand, Brown, Burnett, Christiansen, Clemow, Eggebrecht, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Haines, Hall, Harrison, Hemstad, Himsl, Hodges, Jackson, Keller, Lund, McGrath, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Nelstead, Robbins, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Warfield, Weeding, Wolf. Total 47.

Noes: Aber, Ainsworth, Aspevig, Baeth, Bardanouve, Bradley, Campbell, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Giesick, Greely, Gunderson, Harper, Healy, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McKittrick, McNamer, Mehrens, Menahan, T. Murphy, Norman, Parrish, Perry, Prevost, Quilici, Schoonover, Shelden, Swanberg, Towe, Ulmer, Watt, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 57.

Absent or not voting: None.

Excused: None.

House Bill No. 429 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 104.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 430 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Darrow, Devine, Edland, Ellerd, Fagg, Fasbender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Hodges, Kendall, Kosena, Kvaalen, Laas, Lien, Lockwood, Lund, Lundgren, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Prevost, Schoonover, Selstad, E. Smith, Snortland, Staigmiller, Swanberg, Towe, Watt, Worden. Total 54.

Noes: Aber, Aspevig, Baeth, Brand, Burnett, Clemow, Cox, Dye, East, Eggebrecht, Falkenstern, Fitzgarrald, Giesick, Harper, Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Knudsen, Kolstad, Lanthorn, Lee, Lockrem, Lombardi, Lynch, McNamer, Marks, Mather, J. Murphy, Olson, Perry, Quilici, Robbins, Scott, Shelden, C. Smith, Spilde, Sverdsten, Swan, Ulmer, Warfield, Weeding, Whitney, Wolf, Yardley, Zody, Mr. Speaker. Total 49.

Absent or not voting: Zimmer. Total 1.

Excused: None.

House Bill No. 431 failed to pass by the following vote:

Ayes: Ainsworth, Bardanouve, Bradley, Campbell, Christiansen, Darrow, Devine, Dye, Edland, Ellerd, Fagg, Fasbender, Gerke, Greely, Gunderson, Haines, Harrison, Hodges, Kvaalen, Lien, Lockwood, Lund, Lundgren, McNamer, Marbut, T. Murphy, Norman, Parrish, Patrick, Selstad, E. Smith, Snortland, Swanberg, Towe, Watt, Worden, Zody. Total 37.

Noes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Brand, Brown, Burnett, Clemow, Cox, East, Eggebrecht, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Hall, Harper, Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lombardi, Lynch, McGrath, McKittrick, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Olson, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Sheldon, C. Smith, Spilde, Staigmiller, Sverdsten, Swan, Ulmer, Warfield, Weeding, Wolf, Yardley, Zimmer, Mr. Speaker. Total 67.

Absent or not voting: None.

Excused: None.

House Bill No. 432 was passed by the following vote:

Ayes: Ainsworth, Bardanouve, Bennett, Bradley, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Hodges, Keller, Kolstad, Kosena, Kvaalen, Lanthorn, Lien, Lockwood, Lund, Lundgren, McKittrick, Marbut, Mather, Menahan, Norman, Parrish, Perry, Prevost, Schoonover, Scott, Selstad, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Watt, Whitney, Worden, Yardley, Mr. Speaker. Total 59.

Noes: Aber, Asbjornson, Aspevig, Baeth, Brand, Brown, Burnett, Cox, Falkenstern, Fitzgarrald, Giesick, Harper, Healy, Hemstad, Himsl, Jackson, Johnston, Kendall, Knudsen, Laas, Lee, Lockrem, Lombardi, Lynch, McGrath, McNamer, Marks, Mehrens, J. Murphy, T. Murphy, Olson, Patrick, Nelstead, Quilici, Robbins, Sheldon, C. Smith, Spilde, Warfield, Weeding, Wolf, Zimmer, Zody. Total 43.

Absent or not voting: Anderson, Nichols. Total 2.

Excused: None.

House Bill No. 433 was passed by the following vote:

Ayes: Aber, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Sheldon, C. Smith, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Ainsworth, Asbjornson, Brand, Burnett, Campbell, Edland, Haines, Knudsen, Olson, Selstad, Spilde, Worden. Total 12.

Absent or not voting: None.

Excused: None.

House Bill No. 446 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmler, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: East, Kvaalen, T. Murphy, C. Smith, Ulmer, Whitney, Wolf. Total 7.

Absent or not voting: Bardanoue. Total 1.

Excused: None.

House Bill No. 452 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Spilde, Staigmler, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Fitzgarrald, Hemstad, Lien, Perry, Selstad, C. Smith, E. Smith, Whitney, Wolf. Total 9.

Absent or not voting: Fasbender, Nichols. Total 2.

Excused: None.

House Bill No. 453 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Staigmler, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Bennett, Burnett, Ellerd, Hemstad, Lien, McNamer, J. E. Murphy, Schoonover, Spilde, Whitney, Wolf. Total 11.

Absent or not voting: Sverdsten. Total 1.

Excused: None:

House Bill No. 455 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Bradley, Brand, Brown, Campbell, Clemow, Cox, Darrow, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstein, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Gunderson, Haines, Harrison, Jackson, Keller, Knudsen, Kolstad, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, Mather, J. E. Murphy, T. L. Murphy, Nichols, Parrish, Perry, Nelstead, Schoonover, Scott, Sheldon, E. B. Smith, Snortland, Swanberg, Ulmer, Warfield, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 56.

Noes: Aber, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Burnett, Christiansen, Devine, Fasbender, Gerke, Greely, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Johnson, Kendall, Kosena, Kvaalen, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, Norman, Olson, Patrick, Prevost, Quilici, Robbins, Selstad, C. M. Smith, Spilde, Staigmiller, Sverdsten, Swan, Towe, Watt, Wolf. Total 48.

Absent or not voting: None:

Excused: None.

House Bill No. 462 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstein, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Harrison, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McGrath, Marbut, Marks, Mather, J. E. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Schoonover, Selstad, Sheldon, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 76.

Noes: Aber, Bardanouve, Brand, Burnett, Cox, Darrow, East, Greely, Hall, Harper, Healy, Hemstad, Knudsen, Kosena, Kvaalen, Lee, Lombardi, Lynch, McKittrick, McNamer, Mehrens, Menahan, T. L. Murphy, Prevost, Quilici, Robbins, Scott, Swan. Total 28.

Absent or not voting: None.

Excused: None.

House Bill No. 466 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstein, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Sheldon, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Brand, Harrison, Lynch, Robbins. Total 4.

Absent or not voting: None:

Excused: None.

House Bill No. 473 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Aber, Burnett, Dye, J. Murphy, Selstad, C. Smith, Swan. Total 7.

Absent or not voting: None.

Excused: None.

House Bill No. 484 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 104.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 497 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Asbjornson, Burnett, Campbell, Clemow, East, Ellerd, Fitzgarrald, Kvaalen, Olson, Perry, Selstad, C. Smith, E. Smith, Spilde, Whitney, Wolf. Total 16.

Absent or not voting: None.

Excused: None.

House Bill No. 499 was passed by the following vote:

Ayes: Aber, Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Christiansen, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Greely, Gunderson, Haines, Hall, Harper, Harrison, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kvaalen, Laas, Lien, Lockrem, Lockwood, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 69.

Noes: Ainsworth, Asbjornson, Bennett, Burnett, Campbell, Clemow, East, Ellerd, Falkenstern, Forester, Glennen, Healy, Hemstad, Himsl, Kolstad, Kosena, Lanthorn, Lee, Lombardi, McNamer, Marks, Mehrens, T. Murphy, Patrick, Selstad, C. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Whitney, Wolf, Worden. Total 34.

Absent or not voting: Mather. Total 1.

Excused: None.

House Bill No. 508 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: Burnett, Giesick, Wolf. Total 3.

Absent or not voting: None.

Excused: None.

House Bill No. 510 failed to pass by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Christiansen, Clemow, Edland, Fasbender, Fleming, Forester, Gerke, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Kendall, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, McNamer, Menahan, T. Murphy, Norman, Parrish, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Swanberg, Watt, Weeding, Zimmer, Zody. Total 44.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brand, Brown, Burnett, Campbell, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Giesick, Glennen, Haines, Himsl, Keller, Knudsen, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McGrath, Marbut, Marks, Mather, Mehrens, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Towe, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 58.

Absent or not voting: Warfield, Yardley. Total 2.

Excused: None.

House Bill No. 512 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 104.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 514 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: Lynch. Total 1.

Absent or not voting: J. Murphy. Total 1.

Excused: None.

House Bill No. 516 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: Gunderson, Lynch. Total 2.

Absent or not voting: None.

Excused: None.

House Bill No. 524 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 104.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 528 failed to pass by the following vote:

Ayes: Anderson, Bardanouve, Bradley, Christiansen, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Jackson, Kendall, Knudsen, Kosena, Lee, Lien, Lombardi, Lynch, McKittrick, Marbut, Menahan, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Swanberg, Towe, Watt, Weeding, Zody. Total 36.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Brand, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Hodges, Johnston, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McGrath, McNamer, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Yardley, Zimmer, Mr. Speaker. Total 67.

Absent or not voting: Eggebrecht. Total 1.

Excused: None.

House Bill No. 529 failed to pass by the following vote:

Ayes: Baeth, Bardanouve, Christiansen, Devine, Edland, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Kendall, Knudsen, Kosena, Lee, Lien, Lombardi, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Towe, Watt, Zody. Total 38.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Johnston, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McGrath, McNamer, Mather, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Mr. Speaker. Total 65.

Absent or not voting: Eggebrecht. Total 1.

Excused: None.

House Bill No. 531 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Mather, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Healy, Lee, Lombardi, Lynch, Marks, Mehrens, Menahan, T. Murphy, Robbins, Wolf, Yardley. Total 11.

Absent or not voting: None.

Excused: None.

House Bill No. 541 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: Lynch, McNamer, Spilde. Total 3.

Absent or not voting: None.

Excused: None.

House Bill No. 547 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McGrath, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Mr. Speaker. Total 77.

Noes: Aber, Aspevig, Baeth, Brand, Burnett, Fasbender, Forester, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Lee, Lombardi, Lynch, McKittrick, Mehrens, Menahan, Quilici, Shelden, Staigmiller, Sverdsten, Swanberg, Zody. Total 27.

Absent or not voting: None.

Excused: None.

House Bill No. 551 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 100.

Noes: Giesick, McNamer, Marks. Total 3.

Absent or not voting: Zimmer. Total 1.

Excused: None.

House Bill No. 553 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Fasbender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Spilde, Staigmillar, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 87.

Noes: Aber, Anderson, Burnett, East, Falkenstern, Fitzgarrald, Giesick, Kvaalen, McNamer, Marks, Prevost, C. Smith, Snortland, Swan, Whitney, Zimmer. Total 16.

Absent or not voting: Ellerd. Total 1.

Excused: None.

House Bill No. 559 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Brand, Ellerd, Himsl, Keller, Kvaalen, Lynch, McNamer, Marbut, Prevost, Whitney. Total 10.

Absent or not voting: None.

Excused: None.

House Bill No. 580 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Hemstad, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Swan, Swanberg, Ulmer, Watt, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 85.

Noes: Baeth, Bardanouve, Clemow, Gunderson, Harrison, Himsl, Hodges, McKittrick, T. Murphy, Patrick, Quilici, Shelden, Towe, Warfield, Yardley, Zimmer. Total 16.

Absent or not voting: Brand, Lundgren, Sverdsten. Total 3.

Excused: None.

House Bill No. 582 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Ulmer, Watt, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 76.

Noes: Anderson, Bardanouve, Brand, Clemow, Eggebrecht, Fasbender, Gerke, Gunderson, Harrison, Johnston, Knudsen, Lund, McKittrick, Marbut, T. Murphy, Perry, Prevost, Quilici, E. Smith, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Warfield, Weeding, Yardley, Zimmer. Total 28.

Absent or not voting: None.

Excused: None.

House Bill No. 596 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christianson, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Partick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 104.

Noes: None.

Absent or not voting: None.

Excused: None.

House Joint Resolution No. 23 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-stern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jack-son, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Mur-phy, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Himsl, McNamer, Olson, Selstad, Snortland, Wolf. Total 6.

Absent or not voting: Bennett, Fasbender, Lund, Patrick, Warfield. Total 5.

Excused: None.

House Joint Resolution No. 26 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falken-stern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Ellerd, Perry, C. Smith, Snortland, Swan, Wolf. Total 6.

Absent or not voting: Bennett, Lien, Patrick. Total 3.

Excused: None.

House Joint Resolution No. 29 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hodges, Jackson, Johnston, Keller, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, Staigmiller, Swan, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 81.

Noes: Christiansen, Falkenstern, Fitzgarrald, Harrison, Hemstad, Himsl, Knudsen, Kolstad, Lien, J. Murphy, Nichols, Scott, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swanberg, Weeding. Total 19.

Absent or not voting: Bennett, Marks, Patrick, Zimmer. Total 4.

Excused: None.

House Joint Resolution No. 33 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Staig-miller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Zody Mr. Speaker. Total 84.

Noes: Brand, Eggebrecht, Falkenstern, Greely, Gunderson, Himsl, Keller, Lien, McNamer, Parrish, Perry, Selstad, C. Smith, Spilde, Whitney, Yardley. Total 16.

Absent or not voting: Bennett, Patrick, Sverdsten, Zimmer. Total 4.

Excused: None.

House Joint Resolution No. 39 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Brand, Brown, Burnett, Campbell, Clemow, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Perry, Nelstead, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Ulmer, Warfield, Wolf, Worden, Zimmer, Mr. Speaker. Total 73.

Noes: Anderson, Bradley, Christiansen, Cox, Eggebrecht, Fasbender, Greely, Gunderson, Hemstad, Jackson, Knudsen, Lynch, McKittrick, Marbut, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Staig-miller, Swan, Swanberg, Towe, Watt, Weeding, Whitney, Yardley, Zody. Total 29.

Absent or not voting: Bardanouve, Patrick. Total 2.

Excused: None.

House Joint Resolution No. 42 failed to pass by the following vote:

Ayes: Ainsworth, Bradley, Brand, Brown, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Fleming, Giesick, Glennen, Haines, Kendall, Kvaalen, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, T. Murphy, Nichols, Nelstead, Prevost, Robbins, Schoonover, Scott, E. Smith, Ulmer, Worden, Mr. Speaker. Total 35.

Noes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Burnett, Christiansen, Devine, Edland, Eggebrecht, Falkenstern, Fasbender, Fitzgarrald, Forester, Gerke, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lynch, McGrath, McKittrick, Mather, Mehrens, Menahan, Norman, Olson, Parrish, Perry, Quilici, Selstad, Shelden, C. Smith, Snortland, Spilde, Staig-miller, Sverdsten, Swan, Swanberg, Towe, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody. Total 64.

Absent or not voting: Bardanouve, Bennett, J. Murphy, Patrick, Warfield. Total 5.

Excused: None.

House Joint Resolution No. 49 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Hodges, Jackson, Keller, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McGrath, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Norman, Olson, Perry, Nelstead, Robbins, Scott, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Mr. Speaker. Total 69.

Noes: Baeth, Bardanouve, Brand, Christiansen, Devine, Fasbender, Gerke, Greely, Gunderson, Hall, Harper, Healy, Johnston, Kendall, Knudsen, Lee, Lombardi, Lynch, McKittrick, Mehrens, Menahan, T. Murphy, Parrish, Prevost, Quilici, Schoonover, Selstad, Shelden, C. Smith, Staigmilller, Towe, Zimmer, Zody. Total 23.

Absent or not voting: Eggebrecht, Patrick. Total 2.

Excused: None.

House Bill No. 10 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Quilici, Robbins, Schoonover, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Brand, Eggebrecht, Perry, Prevost, Scott, C. Smith, Wolf. Total 7.

Absent or not voting: Brown, Edland, Lund, Nelstead. Total 4.

Excused: None.

House Bill No. 15 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Scott, Selstad, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 79.

Noes: Anderson, Bardanouve, Brand, East, Eggebrecht, Fleming, Gunderson, Hemstad, Jackson, Knudsen, Kvaalen, McGrath, Marbut, T. Murphy, Perry, Prevost, Schoonover, Shelden, C. Smith, Swan, Watt, Weeding, Whitney, Zimmer. Total 24.

Absent or not voting: Lund. Total 1.

Excused: None.

House Bill No. 361 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Greely, Gunderson, Haines, Hall, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Eggebrecht, Glennen, Harper, Healy, Lee, Lien, Lynch, Mehrens, Menahan, Perry, Prevost, Quilici, C. Smith, Swan, Yardley. Total 15.

Absent or not voting: Ellerd. Total 1.

Excused: None.

House Bill No. 384 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Haines, Harper, Hemstad, Himsl, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lund, Lundgren, McGrath, McNamer, Marks, Mather, Mehrens, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 65.

Noes: Anderson, Bardanouve, Bradley, Brand, Brown, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Gerke, Gunderson, Hall, Harrison, Healy, Hodges, Jackson, Johnston, Knudsen, Lien, Lombardi, Lynch, McKittrick, Marbut, Menahan, T. Murphy, Norman, Parrish, Robbins, Scott, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 39.

Absent or not voting: None.

Excused: None.

House Bill No. 423 was passed by the following vote:

Ayes: Aber, Asbjornson, Baeth, Bennett, Brand, Brown, Burnett, Cox, Darrow, Eggebrecht, Fagg, Fitzgarrald, Fleming, Forester, Giesick, Gunderson, Harper, Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lee, Lockwood, Lombardi, Lund, Lundgren, McGrath, McNamer, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Selstad, C. Smith, E. Smith, Snortland, Spilde, Ulmer, Warfield, Wolf, Zimmer, Zody, Mr. Speaker. Total 59.

Noes: Ainsworth, Anderson, Aspevig, Bardanouve, Bradley, Campbell, Christiansen, Clemow, Devine, Dye, East, Edland, Falkenstern, Fasbender, Gerke, Glennen, Greely, Haines, Hall, Harrison, Hodges, Laas, Lanthorn, Lien, Lockrem, Lynch, McKittrick, Marbut, Mather, Norman, Parrish, Robbins, Scott, Shelden, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Watt, Weeding, Whitney, Worden, Yardley. Total 44.

Absent or not voting: Ellerd. Total 1.

Excused: None.

House Bill No. 501 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 102.

Noes: Lien, Zimmer. Total 2.

Absent or not voting: None.

Excused: None.

House Bill No. 530 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, East, Edland, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Gunderson, Haines, Hall, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 81.

Noes: Bardanouve, Brand, Cox, Eggebrecht, Gerke, Greely, Harper, Harrison, Himsl, Lee, Lien, Lombardi, Lynch, Mehrens, Menahan, Parrish, Quilici, Robbins, Swanberg, Watt, Yardley. Total 21.

Absent or not voting: Dye, Ellerd. Total 2.

Excused: None.

House Bill No. 540 was passed by the following vote:

Ayes: Aber, Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Edland, Eggebrecht, Fاسبender, Fleming, Gerke, Greely, Hall, Harper, Healy, Hemstad, Hodges, Jackson, Johnston, Knudsen, Kolstad, Kosena, Laas, Lee, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Parrish, Robbins, Schoonover, Shelden, E. Smith, Snortland, Staigmiller, Swan, Towe, Ulmer, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 52.

Noes: Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Himsl, Keller, Kendall, Kvaalen, Lanthorn, Lien, Lockrem, Lynch, McNamer, Marbut, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Selstad, C. Smith, Spilde, Sverdsten, Warfield, Whitney, Wolf, Worden. Total 48.

Absent or not voting: Ellerd, Gunderson, Marks, Swanberg. Total 4.

Excused: None.

House Bill No. 589 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Clemow, Hall, Marks, Mehrens, Menahan, C. Smith, Staigmiller, Whitney. Total 8.

Absent or not voting: None.

Excused: None.

House Bill No. 104 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Burnett, East, Falkenstern, Kvaalen, McNamer, Marks, T. Murphy, C. Smith, Spilde, Whitney, Wolf. Total 11.

Absent or not voting: None.

Excused: None.

House Bill No. 160 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 87.

Noes: Asbjornson, Brown, Ellerd, Falkenstern, Fitzgarrald, Harrison, Kvaalen, Lien, Lockwood, McNamer, J. Murphy, Olson, Selstad, C. Smith, Sverdsten, Whitney. Total 16.

Absent or not voting: Zimmer. Total 1.

Excused: None.

House Bill No. 168 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 94.

Noes: Brand, Burnett, Hall, Jackson, Lockwood, Perry, C. Smith. Total 7.

Absent or not voting: Lundgren, Nichols, Zimmer. Total 3.

Excused: None.

House Bill No. 244 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fas-bender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lien, Lockrem, Lock-wood, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 89.

Noes: Brand, Clemow, Ellerd, Harper, Healy, Kolstad, Lanthorn, Lee, Lombardi, Lynch, Mehrens, Menahan, Qunlici, C. Smith. Total 14.

Absent or not voting: Keller. Total 1.

Excused: None.

House Bill No. 273 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fas-bender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Mur-phy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: Burnett, Devine, East, McNamer. Total 4.

Absent or not voting: Lundgren. Total 1.

Excused: None.

House Bill No. 472 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marks, Mather, Mehrens, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Anderson, Bardanouve, Brown, Himsl, Lien, McNamer, Marbut, Menahan, T. Murphy, Swan, Watt, Weeding, Whitney, Wolf. Total 14.

Absent or not voting: None.

Excused: None.

House Bill No. 475 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Sheldon, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Burnett, Dye, East, Giesick, Keller, Lien, Perry, Selstad, C. Smith, E. Smith, Snortland, Whitney, Wolf. Total 13.

Absent or not voting: None.

Excused: None.

House Bill No. 503 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Sheldon, E. Smith, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Anderson, Giesick, Keller, J. Murphy, Olson, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Whitney, Wolf. Total 13.

Absent or not voting: None.

Excused: None.

REPORTS OF STANDING COMMITTEES

February 12, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 95, 133, 134, 228, 256, 267, 411 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 9:25 o'clock, a.m., delivered to the Governor for his approval.

MARKS, Chairman

February 12, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 23, 184.

MARKS, Chairman

February 11, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 434, beg leave to report that the same has this date been returned from the printer correctly printed.

MARKS, Chairman

February 11, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 15.

MARKS, Chairman

February 12, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Dan Leslie Frantz, Doorkeeper, be removed from the payroll effective February 10, 1971.

And further recommend that Richard D. Hausken be added to the payroll as Doorkeeper effective February 12, 1971.

SPILDE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 179.

MARKS, Chairman

I have examined House Bill No. 179, introduced by me, and find the same to be correct.

J. MURPHY

The Speaker signed in open session the following bill: House Bill No. 179.

February 12, 1971

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Joint Resolution No. 48, respectfully report as follows: That House Joint Resolution No. 48 do pass.

FAGG, Chairman

Report adopted.

February 12, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 281, respectfully report as follows: That Senate Bill No. 281 be concurred in.

WORDEN, Chairman

Report adopted.

February 12, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 364, respectfully report as follows: That House Bill No. 364 be amended

Amend Section 1 on page 2 in lines 17 through 19 of the introduced bill by omitting the following words: "or Montana savings and loan associations insured by the Federal Savings and Loan Insurance Corporation"

And, as amended, do pass.

WORDEN, Chairman

Report adopted.

February 12, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 244, respectfully report as follows: That Senate Bill No. 244 be concurred in.

COX, Chairman

Report adopted.

February 12, 1971

Mr. Speaker: We, your Committee on Constitutional Convention, having had under consideration House Resolution No. 8, respectfully report as follows: That House Resolution No. 8 be adopted.

MURPHY, Chairman

Report adopted.

HOUSE RESOLUTION NO. 8

INTRODUCED BY LOMBARDI, PERRY, HARPER, QUILICI, HEALY, MEHRENS, ASBJORNSEN, LEE, CLEMOW, KELLER, LYNCH, KOSENA, HAINES, MENAHAN, McGRATH, STAIG-MILLER, HODGES, GUNDERSON, McKITTRICK, MARBUT, GIESICK.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE CONSTITUTIONAL CONVENTION TO CONSIDER A PROVISION FOR THE ESTABLISHMENT OF A STATE LOTTERY TO PROVIDE FINANCING FOR SCHOOLS IN MONTANA.

WHEREAS, at the general election of 1970, the electors of Montana called for a constitutional convention to be convened, and

WHEREAS, our State is continually seeking new sources of badly needed revenue for one of its valuable resources, the education of our young.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the constitutional convention is hereby requested by the House of Representatives of the State of Montana to study and consider the adoption of a constitutional provision authorizing the State of Montana to establish and conduct periodic drawings by state lottery for the purpose of raising funds and providing financing for schools of Montana, and

BE IT FURTHER RESOLVED, that the chief clerk of the House is directed to send copies of this resolution to the chairman of the constitutional convention for appropriate action.

MESSAGES FROM THE SENATE

February 12, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did not accede to the request of the House to return House Bill No. 147 introduced by Watt, Haines, Worden, et al, for further consideration.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 12, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following Senate bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 282, introduced by Lynch, et al

Senate Bill No. 290, introduced by McKeon

Senate Bill No. 294, introduced by Lynch, et al

Senate Bill No. 338, introduced by McGowan, Goodheart, and Mackay

Senate Bill No. 200, introduced by Cotton, et al

Senate Bill No. 173, introduced by Boylan and Hanks

Senate Bill No. 164, introduced by Drake, et al

Senate Bill No. 320, introduced by Shea, Sheehy and Lyon

Senate Bill No. 210, introduced by Mathers, et al

Senate Bill No. 229, introduced by Lyon, et al

Senate Bill No. 284, introduced by Lynch

Senate Bill No. 319, introduced by Shea, Sheehy and Flynn

Senate Bill No. 257, introduced by McDonald, et al

Senate Bill No. 169, introduced by Lynch, et al

Senate Bill No. 101, introduced by Lynch and Reardon

Senate Bill No. 225, introduced by Groff

Senate Bill No. 253, introduced by McKeon

Senate Bill No. 37, introduced by Bollinger and Shea

Senate Bill No. 24, introduced by McGowan, Turnage, and Dzivi

Senate Bill No. 279, introduced by Dzivi and McOmber

Senate Bill No. 142, introduced by Thiessen and Mackay

Senate Bill No. 124, introduced by Turnage and McGowan

Senate Bill No. 299, introduced by Goodheart.

Senate Bill No. 250, introduced by McGowan, et al

Senate Bill No. 93, introduced by Rehberg and Lynch

Senate Joint Resolution No. 21, introduced by McKeon and Lynch

Senate Joint Resolution No. 9, introduced by Drake, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 11, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following Senate bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 273, introduced by Mitchell and Drake

Senate Bill No. 332, introduced by Lynch

Senate Bill No. 238, introduced by Graham, et al

Senate Bill No. 254, introduced by McKeon

Senate Bill No. 288, introduced by Lowe, Shea, Bertsche

Senate Bill No. 214, introduced by Mackay, et al

Senate Bill No. 306, introduced by Vainio, Bollinger, Keenan

Senate Bill No. 341, introduced by Stephens

Senate Bill No. 170, introduced by Reardon, et al

Senate Bill No. 146, introduced by Lynch, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 11, 1971

Mr. Speaker:

I am directed by the Senate to inform your honorable Body that the Senate this day read third time and concurred in, as amended, House Joint Resolution No. 41, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 11, 1971

Mr. Speaker:

I am directed by the Senate to inform your honorable Body that the Senate this day read third time and concurred in the following bills, title and history agreed to, and the bills are herewith returned to the house.

House Bill No. 231, introduced by Haines, Nichols

House Bill No. 129, introduced by Burnett, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Brand, having voted on the prevailing side, moved that the House reconsider its action on having adopted an adverse committee report on House Bill No. 164. Motion failed.

Ainsworth moved that House Bill No. 443 be taken from Second Reading and be re-referred to the Committee on Business and Industry. Motion carried.

Worden moved that House Bill No. 376 be taken from Committee on Business and Industry and be re-referred to Committee on Ways and Means. Motion carried.

Hall, having voted on the prevailing side, on the thirty-ninth legislative day in adopting an adverse committee report on House Bill No. 312, moved that the House reconsider its action and requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gundersen, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Lee, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 47.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McNamer, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 54.

Absent or not voting: Cox, Marks, Warfield. Total 3.

Pairs: Schoonover, Aye; Bennett, No. Fasbender, Aye; Kolstad, No.

Excused: None.

Haines moved that House Bill No. 434 be passed for the day.

REPORTS OF STANDING COMMITTEES

February 12, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 398.

MARKS, Chairman

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 146, introduced by Lynch, Graham, McDonald, Dzivi, Rugg: A bill for an act entitled: "An act to repeal the agricultural exemption, amending Section 92-202, R.C.M., 1947, and 92-305, R.C.M., 1947, and repealing Section 92-1102, R.C.M., 1947." Referred to Committee on Ways and Means.

Senate Bill No. 170, introduced by Reardon, Keenan, Hafferman, Shea, Goodheart, Lynch, Sheehy: A bill for an act entitled: "An act amending Sections 50-101, 50-102, 50-108, and 50-118, R.C.M., 1947, adding Section 50-119 and repealing Sections 50-103, 50-104, 50-105, 50-106, 50-107, 50-109, 50-110, 50-111, 50-112, 50-113, 50-114, 50-115, 50-116, 50-117, R.C.M., 1947, to update the law so that it conforms and is equal to the Federal Metal and Nonmetallic Safety Act in order that Montana may qualify as and have what is known as a 'State Approved Plan'." Referred to Committee on Business and Industry.

Senate Bill No. 214, introduced by Mackay, Mathers, Thiessen, Graham: A bill for an act entitled: "An act to amend Sections 79-201 and 79-202, R.C.M., 1947, relating to the general fiscal duties of the state treasurer; repealing Sections 79-801, 79-804, 79-806, 79-807, 79-808, and 79-810, R.C.M., 1947." Referred to Committee on State Administration.

Senate Bill No. 238, introduced by Graham, Mackay, Mathers, Thiessen: A bill for an act entitled: "An act to amend Section 4-153, R.C.M., 1947, by deleting the provision that the Liquor Control Board members may receive samples of liquor for quality determination, and by providing that liquor samples received for testing shall be limited to one (1) twenty-five (25) fluid ounce representative which shall be forwarded to a qualified chemical laboratory for analysis and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 254, introduced by McKeon: A bill for an act entitled: "An act relating to the fees charged and collected by the Secretary of State; amending Sections 15-22-122, 15-2384, 25-102, 87A-9-403, 87A-9-404, 87A-9-405, 87A-9-406, 87A-9-407, R.C.M., 1947." Referred to Committee on State Administration.

Senate Bill No. 273, introduced by Mitchell, Drake: A bill for an act entitled: "An act to amend Section 77-156, R.C.M., 1947, relating to camp duty for the organized militia of Montana to provide that the annual camp will be performed within the State of Montana, except under special circumstances, and providing for an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 288, introduced by Lowe, Shea, Bertsche: A bill for an act entitled: "An act amending Section 11-1202, R.C.M., 1947, to increase the monetary limitation on purchases." Referred to Committee on Affairs of Cities.

Senate Bill No. 306, introduced by Vainio, Bollinger, Keenan: A bill for an act entitled: "An act to provide cost of living adjustments to standards of welfare assistance and providing a procedure for computing such adjustments." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 332, introduced by Lynch: A bill for an act entitled: "An act to amend Section 95-116, R.C.M., 1947, to provide that within ninety (90) days after forfeiture of bail if the defendant appears, the bail must be discharged." Referred to Committee on Judiciary.

Senate Bill No. 341, introduced by Stephens: A bill for an act entitled: "An act amending Sections 16-4506 and 16-4507, R.C.M., 1947, relating to the election, nomination and term of office of directors of county water and sewer districts." Referred to Committee on Townships and Counties.

House Resolution No. 11, introduced by Weeding, East, Bardanoue: A Resolution of the House of Representatives of the State of Montana directing the Legislative Council to appoint an interim committee to study potential revisions in our present ground water laws, and prepare any necessary implementing legislation for the Forty-third (43rd) Legislative Assembly. Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 24, introduced by McGowan, Turnage, Dzivi: A bill for an act entitled: "An act relating to possession of explosives and destructive devices with intent to injure persons or property; setting penalties therefor." Referred to Committee on Judiciary.

Senate Bill No. 37, introduced by Bollinger, Shea: A bill for an act entitled: "An act amending Sections 69-5214 and 69-5215, R.C.M., 1947, by providing for the combining of the functions of the Comprehensive Health Planning Advisory Council with the Hospital and Long-term Care Facility Advisory Council and changing the amount of reimbursement to members while serving on the council." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 93, introduced by Rehberg, Lynch: A bill for an act entitled: "An act to revise the water and waste water operators certification act by attaching the certification board to the State Board of Health; amending Section 69-5903, 69-5908, and 69-5910." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 101, introduced by Lynch, Reardon: A bill for an act entitled: "An act amending Section 25-306, R.C.M., 1947, raising justices of peace salaries." Referred to Committee on Judiciary.

Senate Bill No. 124, introduced by Turnage, McGowan: A bill for an act entitled: "An act to provide for centralized filing of all notices of appropriation with the Montana Water Resources Board and providing a copy for the respective county clerks; providing for the automatic appointment of the director of the Montana Water Resources Board as referee in any adjudication suit; providing public notice of the referee's hearing and providing for appeal; providing a new procedure for final adjudication of water rights; amending Sections 89-810, 89-848, 89-849, 89-851, 89-852, 89-853, 89-854, and 89-855; and repealing Section 89-850, R.C.M., 1947." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 142, introduced by Thiessen, Mackay: A bill for an act entitled: "An act amending Section 75-8601, R.C.M., 1947, relating to waiver of nonresident tuition for students." Referred to Committee on Education.

Senate Bill No. 164, introduced by Drake, Northey, Bertsche, Thiessen: A bill for an act entitled: "An act to authorize the mayor and commission plan of government for a countywide municipality by providing for the extension of a single municipal government with boundaries coextensive to that of a county and by merging certain governmental functions of any county in the state with cities and towns situated therein, establishing executive, legislative and judicial branches of government therefor, and defining the powers thereof, allowing certain cities and towns to remain separate and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

Senate Bill No. 169, introduced by Lynch, Stephens, Rehberg, Lowe, McKeon, Hibbard, Rosell, Drake, Shea, Carl, Flynn, Reardon: A bill for an act entitled: "An act amending Section 25-605, R.C.M., 1947, to increase the salaries of county treasurers, clerk and recorder, clerk of the court,

county attorneys, sheriffs, county assessors, county superintendents of schools, and of county surveyors in counties where county surveyors now receive salaries." Referred to Committee on Townships and Counties.

Senate Bill No. 173, introduced by Boylan, Hanks: A bill for an act entitled: "An act amending Section 40-4745, R.C.M., 1947, to provide for inclusion of foreign stock corporations and an immediate effective date." Referred to Committee on Business and Industry.

Senate Bill No. 200, introduced by Cotton, Lynch, Keenan, Flynn, Hanks, Reardon, Gilfeather: A bill for an act entitled: "An act relating to the school foundation program; providing for changes in financial schedules for the maximum general fund budgets for elementary and high schools; amending Section 75-6905; and providing an effective date." Referred to Committee on Education.

Senate Bill No. 210, introduced by Mathers, Mackay, Thiessen, Graham: A bill for an act entitled: "An act providing for procedure to secure refund of inheritance tax, and amending Section 84-726, R.C.M., 1947." Referred to Committee on Judiciary.

Senate Bill No. 225, introduced by Groff: A bill for an act entitled: "Power of Regents to appoint University security departments; extent of authority of University security departments." Referred to Committee on Education.

Senate Bill No. 229, introduced by Lyon, Rehberg, McKeon, McDonald, Lowe: A bill for an act entitled: "An act amending Section 25-604, R.C.M., 1947, relating to salaries of deputies." Referred to Committee on Townships and Counties.

Senate Bill No. 250, introduced by McGowan, Mackay, Mitchell, Rugg, McCallum, Rosell, Bertsche, Moritz: A bill for an act entitled: "An act to amend the location and assessment work requirements upon mining claims; amending Section 50-701 (3), R.C.M., 1947, to provide for alternative methods of performing location work and providing for group location work upon up to ten (10) contiguous claims; amending Section 50-702, R.C.M., 1947, to provide that failure to perform location work or record certificate of location shall create a prima facie presumption of intent to abandon; amending Section 50-704, R.C.M., 1947, to provide alternative methods of performing annual assessment work and providing for group assessment work upon contiguous claims and to provide that recording of the affidavit is mandatory, and that the affidavit be verified and that failure to record the assessment affidavit is prima facie evidence of failure to perform such labor and that the owner has abandoned same." Referred to Committee on Business and Industry.

Senate Bill No. 253, introduced by McKeon: A bill for an act entitled: "An act to amend Section 11-1821, R.C.M., 1947, providing that after completing twenty-five (25) years or more of active service if a policeman or officer elects to serve an additional one (1) to ten (10) years then the payment from the Police Reserves Fund shall be increased at the rate of one percent (1%) per year of such additional service up to a maximum of sixty percent (60%) of the last year's average salary received as a monthly compensation for service as an active member of the police department." Referred to Committee on State Administration.

Senate Bill No. 257, introduced by McDonald, Rostad, Rugg, Sorenson: A bill for an act entitled: "An act to amend Section 16-912, R.C.M., 1947, relating to compensation of members of the board of county commissioners." Referred to Committee on Townships and Counties.

Senate Bill No. 279, introduced by Dzivi, McOmber: A bill for an act entitled: "An act amending Section 43-107, R.C.M., 1947, to move Teton County to the Second (2nd) Congressional District." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 282, introduced by Lynch, James, McOmber, McDonald: A bill for an act entitled: "An act to allow the Montana Water Resources Board, upon its own motion, to inspect and determine safety of dams or dikes; amending Section 89-702, R.C.M., 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 284, introduced by Lynch: A bill for an act entitled: "An act amending Section 25-309, R.C.M., 1947, raising the maximum salary received by constables." Referred to Committee on Townships and Counties.

Senate Bill No. 290, introduced by McKeon: A bill for an act entitled: "An act to establish emergency assistance for families with children and to provide for the county share of participation in grants for such persons." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 294, introduced by Lynch, Drake, Northey, Dzivi, McKeon, Hibbard: A bill for an act entitled: "An act to shorten the period for filing mechanics' liens by providing for filing of a notice of completion and amending Sections 45-501 and 45-502, R.C.M., 1947." Referred to Committee on Judiciary.

Senate Bill No. 299, introduced by Goodheart: A bill for an act entitled: "An act to amend 16-4201, 16-4203, 16-4204, 16-4205, 16-4206, 16-4207 and 16-4211, R.C.M., 1947, defining qualified electors and providing percentage of qualified electors for creating, stopping procedure, or dissolving mosquito abatement district by petition." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 319, introduced by Shea, Sheehy, Flynn: A bill for an act entitled: "An act preventing an insurer from refusing to sell motor vehicle insurance, fire insurance, or liability insurance on the grounds that the applicant has not purchased other types of insurance from the insurer, and providing a penalty." Referred to Committee on Judiciary.

Senate Bill No. 320, introduced by Shea, Sheehy, Flynn: A bill for an act entitled: "An act to provide sixty (60) days notice in writing from an insurer to the named insured of the intention of the insurer not to renew a policy; providing for a statement by the insurer of the reasons for not renewing such policy or policies; providing for hearings by the insurance commissioner when policies may not be cancelled; and providing a penalty." Referred to Committee on Judiciary.

Senate Bill No. 338, introduced by McGowan, Goodheart, Mackay: A bill for an act entitled: "An act relating to membership of the Montana Horse Racing Commission; the terms of office thereon; providing a quorum for transaction of business; adding a new section to Title 62, Chapter 5, R.C.M., 1947; amending Section 62-503, R.C.M., 1947, and repealing Section 62-501, R.C.M., 1947." Referred to Committee on Business and Industry.

Senate Joint Resolution No. 9, introduced by Drake, Turnage, Bollinger, Gilfeather, Rostad, Mackay, Bertsche, Manning, McCallum, Rugg, Broeder, Cochran, Klindt, Moore, Stein, Stephens, Lyon, Thiessen, Keenan, Hibbard, Mitchell, Siderius, Goodheart, McOmber, McGowan, Moritz, McDonald, Graham. A resolution of the Senate and House of Representatives of the State of Montana requesting the legislative council to study the Montana University System with a view toward specialization of the various units thereof by avoiding unnecessary duplication in the programs and degrees offered by each unit. Referred to Committee on Education.

Senate Joint Resolution No. 21, introduced by McKeon, Lynch: A Joint Resolution of the Senate and House of Representatives of the State of Montana expressing concern over the amount of uncertainty imposed by question of military service, opposing the use of conscription in military manpower procurement, supporting efforts to make military service more attractive, supporting the free exercise of conscience in matters surround-

ing military service, urging members of the Montana delegation in congress to act to replace conscription with a military manpower procurement system based on the principle of voluntarism, urging members of the Montana delegation to act to provide for fair compensation of persons serving in the military, and urging national officials and cabinet members to lend their support to these urgent requests. Referred to Committee on Constitution, Elections and Federal Relations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Keller in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That all House Bills be placed at the top of the board for consideration this day.

That House Bill No. 370 be amended as amended by the State Administration Committee on page 1, line 11 of the title of the bill, after the word "of" by striking the words "[one year]" and inserting in lieu thereof the following words "two years", and

Further amend House Bill 370 section 1, subsection (c), page 2, line 17 of the bill, after the word "least" by striking the words "[one year]" and inserting in lieu thereof the following words "two years", and

Further amend House Bill 370, section 2, subsection (b), page 3, line 4, before the words "years" by striking the following material "[thirty (30)]" and inserting in lieu thereof the following material "thirty-two and one half (32½)", and

Further amend House Bill 370 Section 2, subsection (b), page 3, line 5, after the figures "[1/140)]" by striking the following material "[one one-hundred twentieth (1/120)]" and inserting in lieu thereof the following material "one one-hundred thirtieth (1/130)", and

Further amend House Bill 370 Section 2, subsection (c), page 3, line 12, before the word "of" by striking the following material "[one sixtieth (1/60)]" and inserting in lieu thereof the following material "one sixty-fifth (1/65)", and

Further amend House Bill 370 Section 2, subsection (3), page 3, line 30, before the word "of" by striking the following material "[one sixtieth (1/60)]" and inserting in lieu thereof the following material "one sixty-fifth (1/65)", and

Further amend House Bill No. 370 Section 2, subsection (e), page 4, line 11 and 12, after the figures "[1/70)]" by striking the following material "[one sixtieth (1/60)]" and inserting in lieu thereof the following material "one sixty-fifth (1/65)", and

Further amend House Bill 370 Section 2, subsection (g), line 25, page 4, before the word "of" by striking the following material "[one sixtieth (1/60)]" and inserting in lieu thereof the following material "one sixty-fifth (1/65)", and

Further amend House Bill No. 370 Section 2, subsection (1)(i), page 8, line 2, before the word "of" by striking the following material "[one one hundred twentieth (1/120)]" and inserting in lieu thereof the following material: "one one-hundred thirtieth (1/130)", and

Further amend House Bill 370 Section 2, subsection (1) (ii), page 8, line 13 of the bill, before the word "of" by striking the following material "[one sixtieth (1/60)]" and inserting in lieu thereof the following material "one sixty-fifth (1/65)", and

Further amend House Bill 370 Section 3, subsection 2, page 9, line 20 after the word "allowance" and before the word "payable" by inserting the following word "then", and

Further amend House Bill 370 Section 3, subsection 3, page 9, line 27 after the word "annuity" by adding the following word "then", and

Further amend House Bill 370 Section 4, subsection (a), page 10, line 13, before the word "of" by striking the following figures "[4.6]" and inserting in lieu thereof the following figures "4.3", and

Further amend House Bill 370 Section 4, subsection (a), page 10, line 15 before the word "from" by striking the following figures "[5.2]" and inserting in lieu thereof the following figures "4.6", and

Further amend House Bill 370 Section 4, subsection (a), page 10, line 13, before the word "of" by striking the following figures "[5.75]" and inserting in lieu thereof the following figures "4.9".

And, as amended, do pass.

That House Bill No. 364 be passed until the bill has been distributed, and be placed at the bottom of the board.

That House Joint Resolution No. 48 do not pass.

That House Bill No. 364 do pass.

That Senate Bill No. 160 be concurred in.

That Senate Bill No. 66 be concurred in.

That Senate Joint Resolution No. 20 be concurred in.

That Senate Joint Resolution No. 5 be concurred in.

That the Committee rise and report.

KELLER, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner.

House Bill No. 398 was passed by the following vote.

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitgarrauld, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody.

Total 97.

Noes: None.

Absent or not voting: East, Lockrem, Perry, Warfield, Mr. Speaker.
Total 5.

Excused: Kolstad, Schoonover. Total 2.

House Bill No. 370 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Burnett, Kvaalen, Marks, C. Smith, Spilde, Ulmer, Whitney, Wolf. Total 8.

Absent or not voting: Lockrem, Lundgren. Total 2.

Excused: Kolstad, Schoonover. Total 2.

Paired: Perry, aye; Burnett, no; Lucas, aye; Whitney, no.

House Bill No. 364 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 97.

Noes: Lynch, Mehrens. Total 2.

Absent or not voting: Perry, Sverdsten, Mr. Speaker. Total 3.

Excused: Kolstad, Schoonover. Total 2.

Harrison moved that the House adjourn until 11:00 a.m., February 13, 1971.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

FORTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 13, 1971

House convened, pursuant to adjournment, at 11:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Brand, Harper, Kolstad, Lockrem, McGrath, T. Murphy, Perry, Schoonover, Sverdsten, Warfield, Yardley, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fortieth Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

February 13, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Bill No. 134, respectfully report as follows: That Senate Bill No. 134 be concurred in.

LUNDGREN, Chairman

Report adopted.

February 13, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be concurred in.

LUNDGREN, Chairman

Report adopted.

February 12, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 590, respectfully report as follows: That House Bill No. 590 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the committee report.

As a substitute motion, Towe moved that House Bill No. 590 be printed and placed on Second Reading. Keller requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Christiansen, Fasbender, Fleming, Greely, Gunderson, Healy, Hodges, Kendall, Knudsen, Kosena, Lee, Lombardi, Marbut, Norman, Quilici, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding. Total 24.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Haines, Hall, Harrison, Hemstad, Himsl, Jackson, Johnston, Keller, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lund, Lundgren, Lynch, McKittrick, McNamer,

Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Olson, Patrick, Nelstead, Prevost, Robbins, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Ulmer, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 65.

Absent or not voting: Bradley, Eggebrecht, Parrish, Zimmer. Total 4.

Excused: Brand, Harper, Kolstad, Lockrem, McGrath, T. Murphy, Perry, Schoonover, Sverdsten, Warfield, Yardley. Total 11.

Thereupon the committee report was adopted.

February 12, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 588, respectfully report as follows: That House Bill No. 588 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the committee report.

As a substitute motion, Gunderson moved that House Bill No. 588 be printed and placed on Second Reading. Keller requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Anderson, Bardanouve, Christiansen, Fasbender, Fleming, Greely, Gunderson, Kendall, Kosena, Staigmiller, Swanberg, Towe, Watt, Weeding. Total 14.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Haines, Hall, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kvaalen, Lanthorn, Lien, Lockwood, Lombardi, Lund, Lundgren, McKittrick, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Nelstead, Prevost, Quilici, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Ulmer, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 66.

Absent or not voting: Bradley, Eggebrecht, Knudsen, Laas, Lee, Lynch, Mehrens, Menahan, Norman, Parrish, Robbins, Shelden, Zimmer. Total 13.

Excused: Brand, Harper, Kolstad, Lockrem, McGrath, T. Murphy, Perry, Schoonover, Sverdsten, Warfield, Yardley. Total 11.

Thereupon the committee report was adopted.

February 12, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 587, respectfully report as follows: That House Bill No. 587 do not pass.

ULMER, Chairman

Report adopted.

February 13, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 130, respectfully report as follows: That Senate Bill No. 130 be concurred in.

KVAALEN, Vice Chairman

Report adopted.

February 13, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 145, respectfully report as follows: That Senate Bill No. 145 be concurred in.

KVAALEN, Vice Chairman

Report adopted.

February 13, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 336, respectfully report as follows: That Senate Bill No. 336 be concurred in.

KVAALEN, Vice Chairman

Report adopted.

February 12, 1971

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Bill No. 552, respectfully report as follows: That House Bill 552, approved by the Reapportionment Committee February 7, 1971, be amended.

Fagg moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended under section 1, page 2, line 9, after the figure "37" by deleting the figure "70", and

Be further amended on page 2, line 12 after the figure "37" by deleting the figure "70", and

Be further amended on page 3, line 8, by deleting the figures "13, 23, 24, 25, 26 of Lake", and inserting in lieu thereof the following figures and words "7, 8, 19, 21 of Lincoln County", and

Be further amended on page 3, lines 9, 10 and 11, after the word "Lake" by deleting "less precincts 13, 23, 24, 25, 26; Precincts 12, 13, 29, 34, 38 of Flathead" and inserting in lieu thereof the word "County", and

Be further amended on page 3, lines 12 and 13 after the word "Flathead" by deleting "less Precincts 12, 13, 29, 34, 38", and inserting in lieu thereof the word "County", and

Be further amended on page 3, line 14, by inserting the following new words and figures "County less precincts 7, 8, 19, and 21" after the word "Lincoln.", and

Be further amended on page 3, section 2, line 17, after the words "consist of" by deleting the words and figures "eighty-eight (88)" and inserting in lieu thereof the following words and figures "eighty-nine (89)", and

Be further amended on page 4, line 17, after the figure "37" by deleting the figure "70", and

Be further amended on page 4, line 21, after the figure "37" by deleting the figure "70", and

Be further amended on page 4, line 28, after the word "Precinct" by deleting "27" and inserting in lieu thereof the figure "30", and

Be further amended on page 4, line 30, by inserting the figure "27" and deleting the figure "30", and

Be further amended on page 5, lines 10 and 11, after the word "Jefferson" by inserting the word "County" and deleting the following words and

figures "Precincts 1, 9, 10, 11, 12, 14 of Powell" and inserting in lieu thereof the following new words and figures "Powell less Precincts 4, 5, 6, 6a, 7, 10, and 11", and

Be further amended on page 5, lines 13, 14, and 15, after the word "Granite" by deleting the words and figures "Powell less Precincts 1, 8, 10, 11, 12, 14" and inserting in lieu thereof the following new words and figures "Precincts 4, 5, 6, 6a, 7, 10 and 11 of Powell", and

Be further amended on page 5, lines 28 and 29, after the word "Precincts" by deleting the following figures and words "13, 23, 24, 25, 26 of Lake" and inserting in lieu thereof the following new figures and words "7, 8, 19, and 21 of Lincoln County", and

Be further amended on page 5, line 30 and page 6, lines 1, 2, 3, after the word "Lake" by deleting the following words and figures "less Precincts 13, 23, 24, 25, 26; Precincts 12, 13, 29, 34, 38 of Flathead", and inserting the word "County", and

Be further amended on page 6, line 4, by deleting the figure "4" and inserting in lieu thereof the figure "5", and after the word "Flathead" by deleting the words and figures "less Precincts 12, 13, 29, 34, 38" and inserting the word "County", and

Be further amended on page 6, after the word "Lincoln" by inserting the following new words and figures "less Precincts 7, 8, 19 and 21", and

Be further amended under section 3, being lines 7 through 24, inclusive, page 6 of the committee approved bill, and inserting in lieu thereof the following:

Section 3. Multi-member districts may be divided into single member districts in the following manner:

(a) Eight percent (8%) of the registered voters of the multi-member district as determined by the last registration lists applicable to the counties or parts of counties in such multi-member district must first petition for such division. If the multi-member district is located within a single county, the petition signed by the required number of voters shall be filed with the clerk and recorder of that county. If the multi-member district embraces areas in more than one county, the required petition shall be filed in the office of the clerk and recorder of any county embraced in whole or in part in the district and certified copies of such petition shall be sent by that clerk and recorder to the clerks and recorders of all other counties embraced in whole or in part in such multi-member district.

(b) The clerks and recorders with whom such petitions, whether originals or certified copies, are filed shall as promptly as possible examine such petition as to the signatures thereon which are of residents of their respective counties and shall certify to the clerk and recorder of the county in which the original petition was filed as to the number of valid signatures on said petition and as to the number of registered voters in their respective counties and included within the multi-member district. The clerk and recorder with whom the original petition was filed shall also as promptly as possible examine the petition as to the signatures thereon which are of residents of his county and shall determine the number of valid signatures as to his county. Upon receipt of the certificates of the other clerks and recorders, the clerk and recorder with whom the original petition was filed shall total the number of valid signatures on said petition and, if such petition contains valid signatures of at least eight percent (8%) of the registered voters of the multi-member district, he shall so certify to the county commissioners of each county affected in whole or in part.

(c) The county commissioners of each county affected in whole or in part, upon receipt of the certification by the clerk and recorder, shall meet

together as promptly as possible and shall establish a time of election, at which shall be presented the question whether the district shall be divided into single member districts.

(d) If a majority of the voters voting at such election shall vote in favor of dividing the multi-member district, the county commissioners of the affected counties shall meet together as promptly as possible after the results of such election have been certified, and shall divide the multi-member district into single member districts. Any such plan of division shall require the approval of a majority of the commissioners of each of the counties affected.

(e) Single member districts shall be as compact as possible, comprise contiguous territory and shall be as nearly equal as practicable in population.

And as so amended, do pass.

FAGG, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 12, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following Senate bills, title and history agreed to, and the bills are transmitted to the House for concurrence.

Senate Bill No. 94, introduced by Lynch

Senate Bill No. 168, introduced by Sheehy and McKeon

Senate Bill No. 315, introduced by Bollinger, et al

Senate Bill No. 147, introduced by Bertsche, et al

Senate Bill No. 174, introduced by James, et al

Senate Bill No. 159, introduced by Sheehy and Deschamps

Senate Bill No. 226, introduced by Mackay

Senate Bill No. 183, introduced by McKeon, et al

Senate Bill No. 184, introduced by McKeon, et al

Senate Bill No. 204, introduced by Sheehy and Hazelbaker

Senate Joint Resolution No. 17, introduced by McKeon

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 12, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following Senate bills, title and history agreed to, and the bills are herewith transmitted to the House for concurrence.

Senate Bill No. 295, introduced by Boylan, et al

Senate Bill No. 305, introduced by Vainio, Shea, and Lynch

Senate Bill No. 194, introduced by Keenan and McKeon

Senate Bill No. 270, introduced by McKeon, et al

Senate Bill No. 331, introduced by Dzivi and Lynch

Senate Bill No. 126, introduced by Graham, et al

Senate Bill No. 321, introduced by Hanks, Goodheart, and Drake.

Senate Bill No. 274, introduced by Select Committee of Senate on
Executive Reorganization

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 12, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed the following Senate bills, title and history agreed to, and the bills are transmitted herewith to the House for concurrence.

Senate Bill No. 211, introduced by Mathers, et al

Senate Bill No. 171, introduced by Keenan, et al

Senate Bill No. 155, introduced by Rosell, et al

Senate Bill No. 301, introduced by Bertsche, et al

Senate Bill No. 302, introduced by Bertsche, et al

Senate Bill No. 240, introduced by Goodheart and Turnage

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

MOTIONS AND RESOLUTIONS

Hall moved that House Bill No. 376 be taken from the Committee on Ways and Means and be sent to the Rules Committee for determination whether or not the bill constitutes a revenue measure. Motion carried.

Harrison moved that Senate Bill No. 40 be taken from Committee on Highways and be re-referred to Judiciary Committee. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 94, introduced by Lynch: A bill for an act entitled: "An act to amend Section 43-106.1, R.C.M. 1947, to provide for the number of Senators, Senatorial Districts and Apportionment." Referred to Committee on Reapportionment.

Senate Bill No. 147, introduced by Bertsche, Mathers, Mackay, McKeon: A bill for an act entitled: "An act to provide that the Department of Administration develop a wage and salary plan for state employees for submission to the 1973 Legislature and be granted immediate authority to develop a personnel classification plan; providing that salary increases, changes in position classifications and changes in number of employees

must be approved by the Department of Administration; amending Sections 50-902 and 75-310, R.C.M., 1947, and repealing Section 59-901, R.C.M., 1947." Referred to Committee on State Administration.

Senate Bill No. 155, introduced by Rosell, Mathers, Rugg, Cotton, James: A bill for an act entitled: "An act to amend Sections 75-7125 and 75-8305, R.C.M., 1947, to allow trustees of school districts to employ licensed attorneys to assist the county attorney in connection with school board business." Referred to Committee on Education.

Senate Bill No. 159, introduced by Sheehy, Deschamps: A bill for an act entitled: "An act to establish minimum uniform standards and regulations for ambulance services as required by public interest." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 168, introduced by Sheehy, McKeon: A bill for an act entitled: "An act amending Section 68-901, R.C.M., 1947, relating to the Public Employees' Retirement System to provide for full retirement for public employees upon completion of thirty (30) or more years of public service." Referred to Committee on State Administration.

Senate Bill No. 171, introduced by Keenan, Reardon, Hafferman, Lynch, Goodheart, Sheehy, Shea: A bill for an act entitled: "An act amending Sections 69-1501, 69-1502, 69-1503, 69-1504, 69-1505, 69-1507, 69-1508, 69-1509, 69-1510, 69-1511, 69-1512, 69-1513, 69-1514, 69-1515, 69-1516, 69-1517, 69-1601, 69-1602, 69-1603, 69-1604, 69-1607, 69-1701, 69-1702, R.C.M., 1947, and repealing Sections 69-1518, 69-1605, and 69-1703, R.C.M., 1947, to clarify and update sections of the Laws of Montana relating to boilers and engines." Referred to Committee on Business and Industry.

Senate Bill No. 174, introduced by James, Brownfield, Rugg, Thiessen, Boylan, Stein, Bennett, Bertsche, Stephens, Goodheart, Vainio: A bill for an act entitled: "An act to regulate trade in drugs by prohibiting the dispensing of drugs by medical practitioners and their participation in profits from the dispensing of such products, except under certain circumstances, and for other purposes." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 183, introduced by McKeon, Dzivi, DeWolfe, McDonald, Turange, Reardon, Keenan, Lynch, Vainio, Goodheart, Hanks, Stephens, Carl, Nees, Lyon, Rehberg, Lowe, Rosell, McCallum, Mathers, Drake, Northey: A bill for an act entitled: "An act to amend Section 25-501, R.C.M., 1947, as amended, to increase salaries of certain elected state officials." Referred to Committee on State Administration.

Senate Bill No. 184, introduced by McKeon, Dzivi, Drake, DeWolfe, McDonald, Lynch, Mitchell, Turnage, Sorensen, Hanks, Reardon, Vainio, Stephens, Carl, Goodheart, Keenan, Nees, Northey, Rehberg, Lowe, Rosell, McCallum, Mathers: A bill for an act entitled: "An act to fix salaries for the district court judges; amending Section 93-303, R.C.M., 1947." Referred to Committee on State Administration.

Senate Bill No. 204, introduced by Sheehy, Hazelbaker: A bill for an act entitled: "The Montana Electric Land Use Act." Referred to Committee on Business and Industry.

Senate Bill No. 211, introduced by Mathers, Mackay, Thiessen, Graham: A bill for an act entitled: "An act repealing Section 91-4438, R.C.M., 1947, and amending Section 91-4439, R.C.M., 1947, to establish a statute of limitations for amending inheritance tax reports except in cases of changes by Internal Revenue Service and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 226, introduced by Mackay: A bill for an act entitled: "An act to amend Sections 66-2326, 66-2337 and 66-2344, R.C.M., 1947, to provide for a comprehensive definition of the term "Practice of Engineer-

ing", to provide for the increase of fees for registration, and to provide for the repeal of all acts and parts of acts in conflict therewith." Referred to Committee on Business and Industry.

Senate Bill No. 240, introduced by Goodheart, Turnage: A bill for an act entitled: "An act to amend Title 84, Chapter 18, R.C.M., 1947, by adding a new section Designated 84-1840.1 allocating funds to be used by the Highway Commission for the participation with railroads for erection of railroad grade crossing protection on roads and streets except those on the Interstate, primary or urban systems; providing for reimbursement of the fund at the beginning of each fiscal year; providing that the Highway Commission shall select the crossings to be protected; authorizing counties and cities to use funds allocated to them from gasoline tax money for participation in grade crossing protection; repealing all acts and parts of acts in conflict herewith, provided, however, that Sections 72-164 to 72-168, R.C.M., 1947, inclusive, are not repealed." Referred to Committee on Highways.

Senate Bill No. 301, introduced by Bertsche, Gilfeather, Brownfield, Rugg, Cotton: A bill for an act entitled: "An act to establish a position within the office of the Superintendent of Public Instruction entitled "Coordinator of Educational Television"; providing for the appointment of a coordinator; providing for the appointment of an advisory committee; and providing for the duties of the coordinator." Referred to Committee on Education.

Senate Bill No. 302, introduced by Bertsche, James, Cochrane, Bennett, Stephens, Lyon: A bill for an act entitled: "An act creating a Division of Communications in the Department of Administration; providing for the appointment of an administrator for the division; providing for the powers and duties of the division; providing for the implementation of this act; providing that this act shall not affect the rights and privileges of employees transferred to the division." Referred to Committee on State Administration.

Senate Bill No. 315, introduced by Bollinger, Cotton, Klindt, Sheehy, Mathers: A bill for an act entitled: "An act creating a committee to conduct a comprehensive study of the administration and operation of the Montana Railroad and Public Service Commission in cooperation with the Montana Railroad and Public Service Commission; specifying an immediate effective date." Referred to Committee on Business and Industry.

Senate Joint Resolution No. 17, introduced by McKeon: A Joint Resolution of the Senate and House of Representatives of the State of Montana urging all parties to take steps to end the American involvement in Indochina; urging President Richard Nixon to give immediate consideration to the announcement of a specific deadline for the withdrawal of all United States armed forces from Vietnam; urging President Nixon to announce the complete cessation of all saturation bombing operations and a unilateral ceasefire, conditioned upon a reciprocal announcement by North Vietnam of a schedule for release and return of all Americans held by that country as prisoners of war; urging appropriate congressional committees to investigate the interpretation of the understanding of March, 1968, between North Vietnam and the United States; urging appropriate congressional committees to investigate the "protective reaction" doctrine; and urging national officials and Cabinet members to lend their support to this urgent request." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 126, introduced by Graham, Sorensen, Mitchell, Hazelbaker: A bill for an act entitled: "An act controlling the distribution, sale, application, disposal and transportation of pesticides and devices; creating a temporary advisory committee; providing registration of pesticides and licensing of applicators; providing procedure for appeals; providing penalties and an effective date." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 194, introduced by Keenan, McKeon: A bill for an act entitled: "An act amending Sections 53-106, 53-118, 53-120 and 53-122 relating to motor vehicle number plates, motor vehicle dealer's license, replacing motor vehicle number plates, and registration fees of motor vehicles. Referred to Committee on Highways.

Senate Bill No. 270, introduced by McKeon, Lyon, Moore, Broeder: A bill for an act entitled: "An act amending Section 54-133, R.C.M., 1947, to change the penalty for possession of marijuana." Referred to Committee on Judiciary.

Senate Bill No. 274, introduced by Select Committee of the Senate on Executive Reorganization: A bill for an act entitled: "An act to reorganize the Executive Department of Montana State Government in accordance with the Constitutional Amendment, Chapter 1 of the Extraordinary Session, Laws of Montana, 1969, adopted at the general election of November 3, 1970, and effective under the governor's proclamation, November 20, 1970, which provides that: 'All executive and administrative offices, boards, bureaus, commissions, agencies and instrumentalities of the Executive Department of state government and their respective functions, powers, and duties, except for the office of governor, lieutenant governor, secretary of state, attorney general, state treasurer, state auditor, and superintendent of public instruction, shall be allocated by law among and within not more than twenty (20) departments by no later than July 1, 1973'; and repealing Sections 27-427, 59-901, and 59-902, R.C.M., 1947." Referred to Committee on Executive Reorganization.

Senate Bill No. 295, introduced by Boylan, Deschamps, Hanks, Rostad, Rugg, Mackay, Thiessen: A bill for an act entitled: "An act to provide that agricultural land shall be classified, appraised, and assessed according to its value for agricultural purposes without regard to the value it may have for other purposes; amending Sections 84-401 and 84-429.12, R.C.M., 1947." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 305, introduced by Vainio, Shea, Lynch: A bill for an act entitled: "An act amending Section 75-8601 of the Higher Education laws Recodification of the 42nd Session Laws of Montana. To propose the stimulation of enrollment in mineral engineering; to provide for the waiving of nonresident tuition in excess of two percent (2%) of unit enrollment for out-of-state students who enroll in mineral engineering curricula at Montana College of Mineral Science and Technology under reciprocal agreement among mineral engineering colleges of eight (8) WICHE states for the urgent development of undergraduate programs in mineral engineering." Referred to Committee on Business and Industry.

Senate Bill No. 321, introduced by Hanks, Goodheart, Drake: A bill for an act entitled: "An act relating to cities' and towns' all-purpose levy; amending Sections 84-4701.1, 84-4701.2, 84-4701.3, 84-4701.5 and 84-4701.6, R.C.M., 1947." Referred to Committee on Affairs of Cities.

Senate Bill No. 331, introduced by Dzivi, Lynch: A bill for an act entitled: "An act to amend Section 92-204, R.C.M., 1947, to define third parties against whom injured workmen may prosecute causes of action to include prime contractors and general contractors and owners who have not become liable for workmen's compensation benefits under Section 92-438, R.C.M., 1947." Referred to Committee on Business and Industry.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Fasbender in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 552 be considered on special order of business. Consideration of House Bill No. 552 was passed until after consideration of House Bill No. 434.

That House Bill No. 434 be amended in Section 5, line 11, after the word "only" by adding a period (.) and deleting the remainder of lines 11 and 12.

And as amended, do pass.

That House Bill No. 552 be amended in section 1, line 27, by striking the figure "2" in the second column and inserting in lieu thereof the figure "1", and

Further amend on page 2, section 1, line 27, by striking the semicolon after the word "Granite", and

Further amend on page 2, section 1, line 28, by inserting the following new material in the first and second columns, respectively, "19a" and "1", and

Further amend section 2, page 6, being lines 1, 2, and 3, by striking the following figures and words "23, 24, 25, 26, Precincts 12, 13, 29, 34, 38 of Flathead"

And as amended, do pass.

That the Committee rise and report.

FASBENDER, Chairman

Report adopted.

Harrison moved that the House adjourn until 1:30 p.m., February 15, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

FORTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 15, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by Representative J. Murphy and Pledge of Allegiance to the Flag.

On roll call all members were present except Anderson, Baeth, Jackson, Olson, excused.

SPECIAL ORDER OF BUSINESS

Meredith Rollins, Billings, presented her prize winning Voice of Democracy essay.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Forty- First Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

February 15, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 434, 552.

MARKS, Chairman

February 15, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 129, 231.

MARKS, Chairman

I have examined House Bill No. 231, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 129, introduced by me, and find the same to be correct.

BURNETT

The Speaker signed in open session the following House Bills: 129 and 231.

REPORTS OF STANDING COMMITTEES

February 15, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be removed from the payroll, effective dates as listed:

Richard D. Hausken	Doorkeeper	2/13/71
Mike Ragen	Proofreader-Runner	2/14/71
Beverly Lund	Page	2/14/71
Elizabeth Paladin	Page	2/14/71
Elaine Smith	Page	2/14/71
Lisa Swan	Page	2/14/71

And further recommend that the following be added to the payroll as Pages effective February 15, 1971:

Kathi Dayton	Clifford Linggen, Jr.
Ed Diemert	Beverly Marks
Barbara Fisher	Verne Sedlacek
John Hemmingson	

SPILDE, Chairman

Report adopted.

February 15, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 86, respectfully report as follows: That Senate Bill No. 86

Be amended on page 1, line 8 of the title of the approved committee of the whole bill by striking the material "prior to delivery of material", and

Further amended on page 2, line 12 of the approved committee of the whole bill after the material "owner," by striking the material "prior to the" and inserting in lieu thereof the material "within sixty (60) days of the first", and

As so amended, be concurred in.

SCOTT, Chairman

Report adopted.

February 15, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51

Be amended on page 1, line 23 of the bill approved by Committee on Judiciary after the material "based." by striking the material "There shall be no liability on the part of, and no cause of action shall arise against, any insurer or authorized representative or its licensed investigative sources, for any statements made by them in a written notice required to be given pursuant to this section.", and

Further amended on page 4, line 24, after the material "thereof." by adding the following new section:

"Section 8. There shall be no liability on the part of, and no cause of action of any nature shall arise against, the insurance commissioner or against any insurer, its authorized representative, its agents, its employees or any firm, person, or corporation furnishing to the insurer information as to reasons for cancellation or non-renewal, for any statement made by any of them in any written notice of cancellation or nonrenewal, or in any other communication, oral or written, specifying the reasons for cancellation or nonrenewal, or the providing of information pertaining thereto, or for statements made or evidence submitted at any hearings conducted in connection therewith.", and

As so amended, be concurred in.

SCOTT, Chairman

Report adopted.

February 15, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 243, respectfully report as follows: That Senate Bill No. 243 be concurred in.

COX, Chairman

Report adopted.

February 15, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 220, respectfully report as follows: That Senate Bill No. 220 be concurred in.

WORDEN, Chairman

Report adopted.

February 15, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 148, respectfully report as follows: That Senate Bill No. 148 be concurred in.

WORDEN, Chairman

Report adopted.

February 15, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 139, respectfully report as follows: That Senate Bill No. 139 be concurred in.

WORDEN, Chairman

Report adopted.

February 12, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 5, respectfully report as follows: That House Resolution No. 5 be adopted.

WORDEN, Chairman

Report adopted.

HOUSE RESOLUTION NO. 5

Introduced by Prevost, Eggebrecht, E. Smith, Burnett, Christiansen, Knudsen, Lund, Edland, Gunderson, Zody, Weeding, Bradley, Lien.

A resolution of the House of Representatives of the State of Montana to the Congress of the United States, the Montana congressional delegation, the Interior Committee of the United States Senate, the Interior Committee and the Interior Subcommittee of the Appropriations Committee of the United States House of Representatives requesting the passage of legislation and appropriations supporting the construction of a large magnetohydrodynamics (MHD) pilot power plant to implement the techniques which have been developed through intensive research since 1957.

WHEREAS, magnetohydrodynamics (MHD) power generation would provide new opportunities for utilizing the vast, untouched coal resources of the State of Montana and the northwest region, and

WHEREAS, MHD power generating plants operate without the need for the large amounts of water required by conventional steam and turbine systems, MHD electric power generating plants would offer new opportunities for developing the economic resources of the State of Montana and other areas lacking water needed to sustain conventional generating systems, and

WHEREAS, the MHD method of producing electrical energy would raise the efficiency use of coal from forty percent (40%) by conventional methods to sixty percent (60%), and

WHEREAS, there are present or planned conventional power generating plants in the region to which a MHD pilot plant could be attached for experimental testing as well as switchyard facilities, and

WHEREAS, this more economical method of producing electrical energy is also being advanced by other nations such as Japan, West Germany and Russia where a pilot plant is now nearing completion, and

WHEREAS, the MHD electric generating system eliminates water and air pollution common to conventional steam turbine and nuclear systems and reduces air pollution to a minimum.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Congress of the United States appropriate funds for the development work leading to the construction, at the earliest possible time, of a MHD pilot plant.

February 15, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 230, respectfully report as follows: That Senate Bill No. 230 be concurred in.

E. SMITH, Chairman

Report adopted.

February 15, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 138, respectfully report as follows: That Senate Bill No. 138 be concurred in.

E. SMITH, Chairman

Report adopted.

February 15, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 287, respectfully report as follows: That Senate Bill No. 287 be concurred in.

E. SMITH, Chairman

Report adopted.

February 15, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 74, respectfully report as follows: That Senate Bill No. 74 be concurred in.

FAGG, Vice Chairman

Report adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 584, respectfully report as follows: That House Bill No. 584 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the committee report.

As a substitute motion, Bardanouve moved that House Bill No. 584 be laid on the table. Motion failed.

Committee report was adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the committee report.

As a substitute motion, Himsl moved that House Bill No. 302 do pass and be printed and placed on Second Reading. Christiansen requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion carried by the following vote:

Ayes: Aspevig, Bardanouve, Bradley, Brand, Brown, Christiansen, Clemow, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Himsl, Hodges, Johnston, Kendall, Knudson, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut,

Marks, Mehrens, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 51.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Burnett, Campbell, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrauld, Forester, Giesick, Glennen, Harrison, Hemstad, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Mather, J. Murphy, Nichols, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 47.

Absent or not voting: Haines, Patrick. Total 2.

Excused: Anderson, Baeth, Jackson, Olson. Total 4.

February 15, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 23, 179, 184, 129, 231, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 2:13 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

February 13, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Joint Resolution No. 1, respectfully report as follows: That Senate Joint Resolution No. 1 be concurred in.

KELLER, Chairman

Report adopted.

February 13, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Resolution No. 9, respectfully report as follows: That House Resolution No. 9 be adopted.

KELLER, Chairman

Report adopted.

HOUSE RESOLUTION NO. 9

Introduced by Gunderson, Quilici, Knudsen, Greely, Fagg, Bennett, Brown, Hall, Devine, McKittrick, Staigmiller, Hodges, Swanberg, Fasbender.

A HOUSE RESOLUTION EXPRESSING SUPPORT OF SHELTERED WORKSHOPS IN MONTANA.

WHEREAS, the sheltered workshops in such cities in Montana as Helena, Butte, Great Falls, Billings and Glasgow are providing needed rehabilitative and training facilities, staff and expertise to Montanans who are not able because of physical, mental or social handicap to obtain and hold steady jobs; and

WHEREAS, an important source of funds for the sheltered workshops above mentioned is private contracts with private industry and with the State of Montana and its various subdivisions; and

WHEREAS, it is to the advantage of Montana and Montanans, whenever possible, to award governmental contracts to sheltered workshops which are located within the confines of the State of Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the House of Representatives request the State of Montana and the various departments thereof to do all within the power of the state and the various departments, insofar as it is legally possible, to award such state contracts which are bid upon by the sheltered workshops in Montana, to be awarded to sheltered workshops in Montana and not to sheltered workshops lying beyond the confines of this state.

BE IT FURTHER RESOLVED that copies of this resolution shall be sent to the governor, department of administration, fish and game commission, state board of equalization, highway commission, department of health, department of advertising, historical society, department of institutions, university system, division of vocational rehabilitation and the department of welfare.

February 13, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Joint Resolution No. 6, respectfully report as follows: That Senate Joint Resolution No. 6 be concurred in.

KELLER, Chairman

Report adopted.

February 13, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Joint Resolution No. 10, respectfully report as follows: That Senate Joint Resolution No. 10 be not concurred in.

KELLER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

McKittrick moved that Senate Bill No. 331 be taken from Committee on Business and Industry and be re-referred to the Committee on Labor and Compensation. Motion failed.

Nichols moved that House Bills Nos. 591, 592, 593, 594, 595 and 598 be taken from Committee on Appropriations and placed in Committee on Long-Range Building. Motion carried.

Giesick moved that House Bill No. 434 be taken from Third Reading and referred to Rules Committee for determination of whether this is a valid revenue measure. Motion carried.

Himsl moved that Senate Joint Resolution No. 22 be taken from Committee on Long-Range Building and re-referred to Committee on Legislative Modernization. Motion carried.

Darrow moved that Senate Bill No. 55 be taken from Second Reading and be re-referred to Committee on Environment and Resources. Motion carried.

Harrison moved that House Bill No. 288 be taken from the table. Motion carried.

Harrison moved that House Bill No. 288 do not pass. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstein, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad,

Himsl, Johnston, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 60.

Noes: Baeth, Bardanouve, Bradley, Brand, Christiansen, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Kendall, Knudsen, Kosena, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 43.

Pairs: Christiansen No; Olson, Aye.
Bennett, Aye; Jackson, No.
Baeth, No; Glennen, Aye.

Absent or not voting: None.

Excused: Anderson. Total 1.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

A motion was made by Harrison that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Snortland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 67 be concurred in.

That Senate Bill No. 104 be concurred in.

That Senate Bill No. 105 be concurred in.

That Senate Amendments to House Bill No. 98 be not concurred in.

That Senate Bill No. 281 be concurred in.

That Senate Bill No. 244 be passed until the 45th day.

That Senate Amendment to House Joint Resolution No. 41 be passed for the day.

That Senate Bill No. 134 be amended in the title, line 9, following the word "exceed" by striking the words and figures: "two dollars and twenty-five cents (\$2.25)" and inserting in lieu thereof the words and figures "two dollars (\$2.00)"

And further amend in section 2, page 2, lines 13 and 14, following the words and figures "[one dollar (\$1.00)]" by striking the words and figures "two dollars and twenty-five cents (\$2.25)" and inserting in lieu thereof the words and figures "two dollars (\$2.00)"

And as amended, be concurred in.

That Senate Bill No. 130 be concurred in.

That Senate Bill No. 145 be concurred in.

That Senate Bill No. 336 be concurred in.

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

SNORTLAND, Chairman

Report adopted.

Harrison moved that the House adjourn until 1:30 p.m., February 16, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

FORTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 16, 1971

House convened pursuant to adjournment at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Olson excused.

Mr. Speaker: We your Committee on Rules and Journal, have examined the Journal for the Forty-Third Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

February 16, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 302, beg leave to report that the same was this day returned from the printer correctly printed.

MARKS, Chairman

February 16, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Stephen Sampson, Security Guard, be removed from the payroll effective February 12, 1971.

SPIILDE, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 4, respectfully report as follows: That Senate Bill No. 4 be amended

Scott moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 2, section 1, subsection 6 line 2 of the bill approved by the Committee on Judiciary after the material "sold" by striking the comma "[,]" and inserting in lieu thereof the material "by a person, firm or corporation whose business consists of sales of merchandise on a door-to-door basis or one-third (1/3) or more of whose gross income results from direct communication with individuals at their residences," and

Further amend on page 2, section 1, subsection 6, line 5 after the word "with" by striking the material "[or call on]" and after the material "residence," by inserting the material "excluding phone calls", and

Further amend on page 2, section 1, subsection 6, line 12 after the word "address" by striking the word "[or]" and inserting in lieu thereof the word "and", and

Further amend on page 2 section 1 subsection 6 lines 17 through 22 by striking the material "[It is an unlawful practice within the meaning of this act for a seller to refuse to make full refund as required by this section or for a seller to use any undue influence collusion intentional misrepresentation or any other willful act or representation to interfere with the buyer's exercise of his rights under this section.]"

And as amended be concurred in.

(Material in brackets denotes cancelled type.)

SCOTT, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We your Committee on Judiciary having had under consideration Senate Bill No. 140 respectfully report as follows: That Senate Bill No. 140 be amended

Scott moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, section 1 line 27 of the bill approved by the committee on Judiciary after the material "money;" by striking the material "[,and]" and inserting in lieu thereof the material ", and no claim contained in the complaint exceeds One Thousand Dollars (\$1,000)", and

Be further amended on page 2, section 1, line 4 after the word "including" by inserting the word "reasonable" and after the material "fees," by striking the comma [(,)] and inserting in lieu thereof the material "to be fixed by the court"

And, as so amended, be concurred in.

SCOTT, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 13, respectfully report as follows: That Senate Bill No. 13 be concurred in.

SCOTT, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 228 respectfully report as follows: That Senate Bill No. 228 be concurred in.

SCOTT, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Joint Resolution No. 7, respectfully report as follows: That Senate Joint Resolution No. 7 be not concurred in.

SCOTT, Chairman

Scott moved for adoption of the committee report.

Baeth, as a substitute motion, moved that Senate Joint Resolution No. 7 be placed on Second Reading and requested that the Ayes and Nays be

spread on the Journal. Sufficient seconds arose. The substitute motion failed by the following vote:

Ayes: Baeth, Bardanouve, Brand, Christiansen, Eggebrecht, Ellerd, Fasbender, Fleming, Giesick, Gunderson, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lynch, Marks, Mehrens, Menahan, T. Murphy, Quilici, Robbins, Schoonover, Shelden, Snortland, Staigmiller, Swan, Watt, Weeding, Zimmer, Zody. Total 39.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Fagg, Falkenstern, Fitzgarrald Forester, Gerke Glennen, Greely, Haines, Hall, Harrison, Hemstad, Keller, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McKittrick, McNamer, Marbut, J. Murphy, Parrish, Patrick, Perry, Nelstead, Prevost, Scott, Selstad, Spilde, Sverdsten, Swanberg, Towe, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Absent or not voting: Himsl, Jackson, McGrath, Mather, Nichols, Norman, C. Smith, E. Smith, Yardley. Total 9.

Excused: Olson. Total 1.

Committee report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 219, respectfully report as follows: That Senate Bill No. 219 be amended

Be amended on page 2, section 1, Subsection (4) line 21 through and including line 24, after the word "final", by striking the following material "[. , provided that a district judge may, in his discretion, excuse a child from compulsory school attendance if he deems it in the best interest of the child"] and inserting in lieu thereof the following subsection "(5) the child is excused from compulsory school attendance upon a determination by a District Judge that such attendance is not in the best interest of the child."

And, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

WARFIELD, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 30, respectfully report as follows: That Senate Joint Resolution No. 30 be concurred in.

WARFIELD, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 29, respectfully report as follows: That Senate Bill No. 29 be concurred in.

WARFIELD, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 238, respectfully report as follows: That Senate Bill No. 238 be concurred in.

SWAN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 80, respectfully report as follows: That Senate Bill No. 80 be concurred in.

SWAN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 165, respectfully report as follows: That Senate Bill No. 165 be concurred in.

SWAN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 2, respectfully report as follows: That Senate Joint Resolution No. 2 be concurred in.

SWAN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 3, respectfully report as follows: That Senate Joint Resolution No. 3 be concurred in.

SWAN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 168, respectfully report as follows: That Senate Bill No. 168 be not concurred in.

SWAN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 46, respectfully report as follows: That Senate Bill No. 46 be concurred in.

SWAN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 112, respectfully report as follows: That Senate Bill No. 112 be concurred in.

SWAN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration Senate Bill No. 166, respectfully report as follows: That Senate Bill No. 166 be concurred in.

CARL SMITH, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Joint Resolution No. 13, respectfully report as follows: That Senate Joint Resolution No. 13 be concurred in.

FALKENSTERN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 81, respectfully report as follows: That Senate Bill No. 81 be concurred in.

FALKENSTERN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 177, respectfully report as follows: That Senate Bill No. 177 be concurred in.

FALKENSTERN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 198, respectfully report as follows: That Senate Bill No. 198 be concurred in.

FALKENSTERN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 223, respectfully report as follows: That Senate Bill No. 223 be concurred in.

FALKENSTERN, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Resolution No. 6, respectfully report as follows: That House Resolution No. 6 be adopted.

ULMER, Chairman

Report adopted.

HOUSE RESOLUTION NO. 6

Introduced by Robbins, Asbjornson, Bradley

A resolution of the House of Representatives of the State of Montana requesting that the Legislative Council conduct a study of the need and feasibility of deriving revenue from all tax-exempt property to provide funding in support of fire and police protection provided tax-exempt

facilities and report its findings, together with recommendations and any necessary implementing legislation to the Forty-Third Legislative Assembly.

WHEREAS, some city and town property owners are being excessively charged with providing fire and police protection to tax-exempt properties, and

WHEREAS, many communities are unable to provide the necessary fire service because of limitations on permissive tax levies, and

WHEREAS, fire and police protection is a cost that should be borne by all of the properties being protected and not just by the few individual real estate owners, and

WHEREAS, in many instances property owners are penalized with higher fire insurance rates in communities that provide fire protection to tax-exempt properties, and

WHEREAS, the cost of fire protection to these taxed properties exceeds the limit of ability to provide adequate fire control capability for both taxed and non-taxed properties, and

WHEREAS, it is obviously an unfair burden on many taxpayers to carry the cost of a service that is not their responsibility.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council is requested to conduct a study of the need and feasibility of deriving revenue from all tax-exempt property to provide funding in support of fire protection provided tax-exempt facilities and report its findings.

BE IT FURTHER RESOLVED, that the Legislative Council is requested to submit a written report of its findings and recommendations together with any necessary implementing legislation for consideration by the Forty-Third Legislative Assembly.

BE IT FURTHER RESOLVED, that the secretary of state is directed to send a copy of this resolution to the executive director of the legislative council.

February 16, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 14, respectfully report as follows: That Senate Bill No. 14 be amended

Be amended in Section 1 of the original and introduced bill, page 2, line 12 following the word and punctuation "refund." by deleting the following material: "[such further information pertaining to such claim shall be furnished as required by the board, provided that mileages of vehicles, where not verifiable by mechanical recorders, may be estimated by the applicant under regulations adopted by the board.]", and

Further amend in Section 1, page 4 following line 24 by inserting the following new subsection "(7) No mileage readings shall be required for completion of the gasoline refund statement."

And, as so amended, be concurred in.

ULMER Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 367, respectfully report as follows: That House Bill No. 367 do not pass.

ULMER Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 71, respectfully report as follows: That Senate Bill No. 71 be amended on page 1, line 21 after the word "committees" by inserting the following words, "each legislative session"

And, as amended, be concurred in.

WOLF Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 207, respectfully report as follows: That Senate Bill No. 207 be concurred in.

WOLF Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 208, respectfully report as follows: That Senate Bill No. 208 be concurred in.

WOLF Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 205, respectfully report as follows: That Senate Bill No. 205 be concurred in.

WOLF Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 83, respectfully report as follows: That Senate Bill No. 83 be concurred in.

WOLF Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 7, respectfully report as follows: That Senate Bill No. 7 be amended on page 1, line 6 of the title of the bill after the word "by" by striking the words "[building]" and inserting in lieu thereof the word "construction"

And be further amended on page 1, line 8 after the word "funds" by inserting the following words and punctuation ", and providing an effective date"

And be further amended on page 1, line 22 after the word "to" by striking the word "[building]" and inserting in lieu thereof the word "construction"

And be further amended on page 2, line 4 by inserting the following new section: "Section 2. This act is effective on passage and approval."

And, as amended, be concurred in.

WOLF Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 246, respectfully report as follows: That House Bill No. 246 be amended by striking the entire Section 1 and inserting in lieu thereof on line 12, after the material "Section 1.": "There is hereby appropriated from the general fund the sum of twelve thousand five hundred dollars (\$12,500) to Casper G. Wolhowe for wages owed."

And further amend subsequent section to conform numerically.

And, as amended, do pass.

NICHOLS Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 19, respectfully report as follows: That Senate Bill No. 19 be concurred in.

HEMSTAD Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 20, respectfully report as follows: That Senate Bill No. 20 be concurred in.

HEMSTAD Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 16, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I have this day signed the following measures:

House Bills Nos. 23, 95, 129, 133, 134, 184, 228, 231, 256, and 411.

Sincerely

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

February 15 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were read third time and concurred in, title and history agreed to, and the bills herewith are returned to the House.

House Bill No. 21, introduced by Worden, Lockwood and Patrick

House Bill No. 380, introduced by Worden, Lockwood and Patrick

House Bill No. 29, introduced by Himsl, et al

House Bill No. 30, introduced by Himsl, et al

House Bill No. 72, introduced by Patrick, et al

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

February 15 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 457, introduced by Christiansen, et al, was read third time and concurred in as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in the Senate amendment.

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

February 15 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 225, introduced by Bradley and Lanthorn, was this day indefinitely postponed on Second Reading, report adopted, and the bill is herewith returned to the House.

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

February 15 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate Committee on Education recommended this day that the following House bills be not concurred in, report adopted, and the bills are herewith returned to the House.

House Bill No. 463, introduced by Shelden, et al

House Bill No. 464, introduced by Shelden, et al

House Bill No. 468, introduced by Shelden, et al

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Nichols moved that House Bill No. 598 be taken from the Long Range Building Committee and be re-referred to Committee on Appropriations. Motion carried.

Nichols moved that House Bill No. 599 be taken from Committee on Appropriations and be re-referred to Long Range Building Committee. Motion carried.

Keller moved that the Speaker appoint a Conference Committee of three to meet with a like committee appointed by the President of the Senate to consider Senate Amendments to House Bill No. 98. Motion carried.

REPORTS OF STANDING COMMITTEES

February 16, 1971

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 376, respectfully report as follows: That House Bill No. 376 is not a revenue bill and therefore may not be further considered by this House.

HARRISON Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 434, respectfully report as follows: That House Bill No. 434 is a revenue bill and having passed second reading should be returned to third reading.

Report adopted.

HARRISON Chairman

MOTIONS AND RESOLUTIONS

Giesick moved that House Bill No. 434 be taken back to Committee on Ways and Means. Motion failed.

FIRST READING AND COMMITMENT OF BILLS

The following bill was read first time and referred to Committee:

House Bill No. 600, introduced by Darrow, Christiansen, Lucas, Harrison, Fasbender. A bill for an act entitled: "An act appropriating two hundred eighty-eight thousand two hundred fifty-four dollars (\$288,254) for the operation of the Environmental Quality Council for the biennium ending June 30, 1973." Referred to Committee on Appropriations.

THIRD READING OF SENATE BILLS

The following bills were read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 160 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: Hall. Total 1.

Absent or not voting: Mather. Total 1.

Excused: Olson. Total 1.

Senate Bill No. 66 was concurred in by the following vote:

Ayes: Aber Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, East, Edland, Eggebrecht, Ellerd, Fagg Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick McNamer, Marbut, Marks, Mather, Mehrens, J. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Bardanouve, Brand, Devine, Greely, Gunderson, Harrison, Kosena, Lynch, Menahan, T. Murphy, Swanberg, Ulmer. Total 12.

Absent or not voting: None.

Excused: Olson. Total 1.

Senate Joint Resolution No. 20 was not concurred in by the following vote:

Ayes: Baeth, Bardanouve, Bradley, Brand, Brown, Christiansen, Clemow, Edland, Eggebrecht, Fاسبender, Fleming, Gerke, Gunderson, Hall, Harper, Healy, Jackson, Johnston, Kendall, Knudsen, Kosena, Lee, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, Parrish, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 43.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Burnett, Campbell, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Greely, Haines, Harrison, Hemstad, Himsl, Hodges, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lundgren, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Patrick, Nelstead, Prevost, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 60.

Absent or not voting: None.

Excused: Olson. Total 1.

Senate Joint Resolution No. 5 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Mr. Speaker. Total 97.

Noes: Anderson, Gunderson, Hodges, Lien, J. Murphy, Staigmilller. Total 6.

Absent or not voting: None.

Excused: Olson. Total 1.

Senate Bill No. 67 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrauld, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staig-miller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103.

Noes: None.

Absent or not voting: None.

Excused: Olson. Total 1.

Senate Bill No. 104 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrauld, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staig-miller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103

Noes: None.

Absent or not voting: None.

Excused: Olson. Total 1.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Kolstad in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Joint Resolution No. 41 be concurred in.

That Senate Bill No. 243 be concurred in.

That Senate Bill No. 220 be amended in Section 1, subsection 2 (g), page 4, line 22 of the printed bill, after the figure "1947", by inserting

the following words and punctuation: “; and provided further that said deposits must be paid not less than the prevailing rate of interest authorized by law or by regulation of the Federal Reserve System or the Federal Deposit Insurance Corporation.”

And further amend Section 1, subsection 3(a), page 5, line 20 of the printed bill, after the figure “1947” by inserting the following words and punctuation: “provided that said deposits must be paid not less than the prevailing rate of interest authorized by law or by regulation of the Federal Reserve System or the Federal Deposit Insurance Corporation.”

And further amend Section 1, subsection 3, (b), page 6, line 6 of the printed bill, after the figure “1947” by inserting the following words and punctuation: “; and provided further that said deposits must be paid not less than the prevailing rate of interest authorized by law or by regulation of the Federal Reserve System or the Federal Deposit Insurance Corporation;”

And, as amended, be concurred in.

That Senate Bill No. 148 be concurred in.

That Senate Bill No. 139 be concurred in.

That Senate Bill No. 230 be concurred in.

That Senate Bill No. 138 be concurred in.

That Senate Bill No. 74 be concurred in.

That Senate Bill No. 287 be concurred in.

That Senate Bill No. 86 be not concurred in.

That Senate Bill No. 51 be concurred in.

That Senate Joint Resolution No. 1 be concurred in.

That Senate Joint Resolution No. 6 be amended on page 1 of the title, line 13, after the word “hospitals” and before the word “which” by inserting the following new material: “, extended care facilities, skilled nursing homes and intermediate care facilities”, and

Further amend Senate Joint Resolution No. 6 on page 1 of the title, line 14, after the word “Medicare” and before the word “because” by inserting the following new material “and Medicaid”, and

Further amend Senate Joint Resolution No. 6 on page 1 of the title, line 15, by deleting the word “[regulations]” and inserting in lieu thereof the following word “requirements”, and

Further amend Senate Joint Resolution No. 6 on page 1, line 17, by deleting the word “[and]” and inserting in lieu thereof the following material “, extended care facilities, skilled”, and

Further amend Senate Joint Resolution No. 6 on page 1, line 18, after the word “homes” and before the word “by” by inserting the following new material: “and intermediate care facilities”, and

Further amend Senate Joint Resolution No. 6 on page 1, line 18, after the word “Medicare” and before the word “for” by inserting the following new material: “and Medicaid”, and

Further amend Senate Joint Resolution No. 6 on page 1, line 21, after the word “rural” by deleting the word “[hospitals]” and inserting in lieu thereof the following word “facilities”, and

Further amend Senate Joint Resolution No. 6 on page 1, line 22, after the word “Medicare” and before the word “certification” by inserting the following words “and Medicaid”, and

Further amend Senate Joint Resolution No. 6 on page 1, line 23, after the word "Medicare" and before the word "funds" by inserting the following words "and Medicaid", and

Further amend Senate Joint Resolution No. 6 on page 1, line 26, after the word "any" by deleting the word "[hospital]" and inserting in lieu thereof the following words "such facility", and

Further amend Senate Joint Resolution No. 6 on page 1, line 30, by deleting the word "[hospital]" and inserting in lieu thereof the following word "facilities", and

Further amend Senate Joint Resolution No. 6 on page 2, line 5, after the word "the" by deleting the word "[regulations]" and inserting in lieu thereof the following word "requirements", and

Further amend Senate Joint Resolution No. 6 on page 2, line 6, after the word "hospitals" and before the word "for" by inserting the following material: "extended care facilities, skilled nursing homes and intermediate care facilities", and

Further amend Senate Joint Resolution No. 6 on page 2, line 7, after the word "Medicare" and before the word "provisions" by inserting the following material: "and Medicaid", and

Further amend Senate Joint Resolution No. 6 on page 2, lines 8 and 9, after the word "Medicare" on line 8 and before the word "to" on line 9 by deleting the word "[program]" and inserting in lieu thereof the following word "programs", and

Further amend Senate Joint Resolution No. 6 on page 2, line 11, after the word "rural" by deleting the word "[hospitals]" and inserting in lieu thereof the word "facilities", and

Further amend Senate Joint Resolution No. 6 on page 2, line 11, after the word "burdensome" by deleting the word "[regulations]" and inserting in lieu thereof the word "requirements", and

Further amend Senate Joint Resolution No. 6 on page 2, line 12, after the word "of" by deleting the word "[hospital]" and inserting in lieu thereof the word "such".

And, as so amended, be concurred in.

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

KOLSTAD Chairman

Report adopted.

The Speaker appointed the following Conference Committee to confer with a like Committee from the Senate on Senate Amendments to House Bill No. 98: Keller, Chairman; Harrison, Lombardi.

Harrison moved that the House adjourn until 1:30 p.m., February 17, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS Speaker

ZACK STEVENS, Chief Clerk.

FORTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 17, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Knudsen, Olson, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the forty-fourth legislative day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

February 17, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 246, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 17, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill Nos. 29, 72, 380, 21, 30.

MARKS, Chairman

I have examined House Bill No. 72, introduced by Chase Patrick, and find the same to be correct.

PATRICK

I have examined House Bill No. 30, introduced by Matt Himsl, and find the same to be correct.

HIMSL

I have examined House Bill No. 29, introduced by Matt Himsl, and find the same to be correct.

HIMSL

I have examined House Bill No. 380, introduced by H. O. Worden, and find the same to be correct.

WORDEN

I have examined House Bill No. 21, introduced by H. O. Worden, and find the same to be correct.

WORDEN

The Speaker signed the following bills in open session: House Bill Nos. 21, 29, 30, 72, 380.

February 17, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be removed from the payroll, effective dates as listed.

Diane Andrikopoulos	Page	2/16/17
Tom Diette	Page	2/16/17
Nancy Holmes	Page	2/16/17
Bennett Flage	Multilith Clerk	2/17/71

SPILDE, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 106, respectfully report as follows: That Senate Bill No. 106 be concurred in.

EAST, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 107, respectfully report as follows: That Senate Bill No. 107 be concurred in.

EAST, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 108, respectfully report as follows: That Senate Bill No. 108 be concurred in.

EAST, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 120, respectfully report as follows: That Senate Bill No. 120 be concurred in.

EAST, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 116, respectfully report as follows: That Senate Bill No. 116 be concurred in.

EAST, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 121, respectfully report as follows: That Senate Bill No. 121 be concurred in.

EAST, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 127, respectfully report as follows: That Senate Bill No. 127 be concurred in.

EAST, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 133, respectfully report as follows: That Senate Bill No. 133

Be amended in page 1, line 12 of the approved bill, after the word "purposes" by adding the following material: "; and providing an effective date", and

Be further amended on page 2, line 24 of the approved bill, after the word "such" by adding the following word: "electing", and

Be further amended on page 2 line 26 of the approved bill by adding a new section 2 to read as follows: "Section 2. This act is effective on its passage and approval." and

As amended, be concurred in.

EAST, Chairman

Report adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 406, respectfully report as follows: That House Bill No. 406 do pass.

ULMER, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 156, respectfully report as follows: That House Bill No. 156 do not pass.

ULMER, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 287, respectfully report as follows: That House Bill No. 287

Be amended on page 1 of the title of the original and reproduced bill, line 9, by striking the following words and figures "increased to seven percent (7%) and made permanent", and inserting in lieu thereof the words and figures "retained at six and one-quarter percent (6¼ %), and made permanent, and providing for an effective date", and

Be further amended on page 2, section 1, lines 10 through 16 of the original and reproduced bill following the word "be" by deleting the material in its entirety and inserting in lieu thereof the following material: "six and one-quarter percent (6¼ %) of all net income for the taxable period. The rate set forth in this act shall be effective for taxable years after February 28, 1971", and

As so amended, do pass.

ULMER, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 581, respectfully report as follows: That House Bill No. 581

Be amended on page 5 of the original and reproduced bill, lines 1 and 2, following the word "exceed" by deleting the following words and figures "[two cents (\$0.02)]" and inserting in lieu thereof the following words and figures: "one cent (\$0.01)", and

As so amended, do pass.

(Material in brackets denotes cancelled type.)

ULMER, Chairman

Report adopted.

February 16, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 204, respectfully report as follows: That Senate Bill No. 204 be amended.

Worden moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended in section 5 (3), page 4, line 18 by striking all of the material after the word "following:" beginning with the word "the" in lines 18 through 30 and in lines 1 and 2 on page 5 through the word "operations." and inserting the following: "application for generating stations shall include detailed data concerning air pollution control, thermal effects, if any, on discharges into state waters and meteorological data. Applications for transmission lines shall include data on the effect on scenic resources and fish and wildlife habitat."

And be further amended in section 5 (c), page 5, line 26 by adding the words "and water" following the word "air"

And be further amended in line 27, page 5, section 5 (c), following the word "control" by striking the words "board, water pollution control board" and inserting in lieu thereof the words "divisions of the State Board of Health"

And be further amended in section 6, page 6, line 5, by adding the words "and water" following the word "air"

And be further amended in section 6, page 6, line 6, following the word "control" by striking the words "board, water pollution control board" and inserting in lieu thereof the words "divisions of the State Board of Health"

And be further amended in section 9 (6), line 3, page 9, by deleting the following words after the word "commission", "may request from the appropriate governmental unit variances to the existing municipal, local, or state standards and regulations." and inserting in lieu thereof the following: "is not bound by any ordinance or regulation if it finds that, as applied to the proposed facility, such ordinance or regulation is unreasonably restrictive in view of the existing technology, cost, or economic factors or the needs of electric consumers whether located within or outside of the directly affected governmental subdivisions."

And, as so amended, be concurred in.

WORDEN, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 78, respectfully report as follows: That Senate Bill No. 78 be concurred in.

WORDEN, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 167, respectfully report as follows: That Senate Bill No. 167 be concurred in.

Report adopted.

WORDEN, Chairman

February 17, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 315, respectfully report as follows: That Senate Bill No. 315 be not concurred in.

Report adopted.

WORDEN, Chairman

February 17, 1971

Mr. Speaker: We, your committee on Appropriations, having had under consideration House Bill No. 598, respectfully report as follows: That House Bill No. 598

Be amended by striking section 2 and section 3 in their entirety, and inserting in lieu thereof on line 22, page 1, the following material: "Section 2. Funds appropriated in section 1 shall be available on the contingency they match funds in an equal amount procured from private or federal sources.", and

As amended, do pass.

NICHOLS, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 16, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House bills came out of their respective committees with the recommendations that they be not concurred in, reports adopted, and the bills are herewith returned to the House.

House Bill No. 492, introduced by Healy, et al

House Bill No. 101, introduced by Yardley and Worden

House Bill No. 442, introduced by Kvaalen, Himsl and Brand

House Bill No. 317, introduced by Worden, et al

House Bill No. 381, introduced by Haines and Worden

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

February 16, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 38, introduced by Cox, et al, was read third time and concurred in, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

February 16, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 14, introduced by Robbins, et al, was read third time and concurred in as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

February 16, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House bills came out of the Committee of the Whole with the recommendation they be indefinitely postponed, report adopted, and the bills are herewith returned to the House.

House Bill No. 183, introduced by Johnston and Wolf

House Bill No. 203, introduced by Campbell and Wolf

House Bill No. 35, introduced by Harrison

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Ulmer moved that Senate Bill No. 14 be taken from Second Reading and re-referred to Committee on Ways and Means. Motion carried.

Keller, having voted on the prevailing side in defeating Senate Joint Resolution No. 20 in Third Reading on the previous day, moved that the House reconsider its action. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Resolution No. 12, introduced by E. Smith, Selstad, Perry, Wolf, Burnett, Aber, Keller, East, Giesick, Campbell, Kvaalen, Ainsworth: A resolution of the House of Representatives consenting to a postponement of including certain state agencies under executive reorganization until after the constitutional convention. Referred to Committee on Executive Reorganization.

House Resolution No. 13, introduced by Christiansen: A resolution of the House of Representatives of the State of Montana directing that officials of the Holly Sugar Company meet with the State Office of Planning and Economic Development to determine any common ground that may enable the reopening of the sugar refinery. Referred to Committee on Business and Industry.

House Bill No. 601, introduced by Gunderson, Towe, Swanberg, Lien, T. Murphy: A bill for an act entitled: "An act to establish a bi-partisan legislative apportionment commission." Referred to Committee on Reapportionment.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 434 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Bradley, Brown, Campbell, Christiansen, Cox, Darrow, Dye, Edland, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Haines, Hall, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, McKittrick, McNamer, Marbut, Mather, Nichols, Norman, Parrish, Patrick, Nelstead, Prevost, Scott, C. Smith, E. Smith, Snortland, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Whitney, Worden, Yardley, Mr. Speaker. Total 57.

Noes: Baeth, Bardanouve, Brand, Clemow, East, Eggebrecht, Falkenstern, Giesick, Gunderson, Harper, Healy, Hemstad, Hodges, Jackson, Johnston, Kendall, Kosena, Laas, Lee, Lien, Lombardi, Lundgren, Lynch, McGrath, Marks, Mehrens, Menahan, T. Murphy, Perry, Quilici, Robbins, Schoonover, Selstad, Shelden, Spilde, Staigmiller, Watt, Weeding, Wolf, Zimmer, Zody. Total 41.

Absent or not voting: Burnett, Devine, Harrison, J. Murphy. Total 4.

Excused: Knudsen, Olson. Total 2.

Ulmer moved that House Bill No. 552 be taken from Third Reading and be placed on Second Reading.

As a substitute motion, Fagg moved that House Bill No. 552 be left on Third Reading and requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion carried by the following vote:

Ayes: Ainsworth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, McNamer, Marbut, Mather, J. Murphy, T. Murphy, Nichols, Parrish, Patrick, Perry, Nelstead, Robbins, Schoonover, Scott, Shelden, Staigmiller, Sverdsten, Swanberg, Warfield, Watt, Wolf, Worden, Zimmer. Total 58.

Noes: Aber, Anderson, Aspevig, Baeth, Christiansen, East, Falkenstern, Fleming, Forester, Gerke, Haines, Hemstad, Johnston, Kolstad, Kvaalen, Laas, Lundgren, Lynch, McGrath, McKittrick, Mehrens, Menahan, Norman, Prevost, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde, Towe, Ulmer, Weeding, Whitney, Yardley, Zody, Mr. Speaker. Total 37.

Absent or not voting: Asbjornson, Giesick, Keller, Kendall, Kosena, Marks. Total 6.

Excused: Knudsen, Olson, Swan. Total 3.

House Bill No. 552 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, Ellerd, Fagg, Fasbender, Fitzgarrald, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Himsl, Hodges, Jackson, Keller, Lanthorn, Lockrem, Lockwood, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Parrish, Patrick, Perry, Nelstead, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Wolf, Worden, Zimmer, Mr. Speaker. Total 62.

Noes: Anderson, Aspevig, Baeth, Christiansen, East, Edland, Eggebrecht, Falkenstern, Fleming, Gerke, Harper, Healy, Hemstad, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi,

Lund, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Prevost, Quilici, C. Smith, Snortland, Spilde, Ulmer, Weeding, Whitney, Yardley, Zody. Total 41.

Pairs: Aye, Ellerd; No, Christiansen
Aye, Swan; No, Gerke
Aye, Glennen; No, Knudsen

Absent or not voting: None.

Excused: Olsen. Total 1.

THIRD READING OF SENATE BILLS

The following bills having been read three several times were disposed of in the following manner:

Senate Bill No. 51 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarraird, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Ainsworth. Total 1.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 74 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarraird, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Lien, McNamer, T. Murphy, Schoonover, Sverdsten. Total 5.

Absent or not voting: Ainsworth, Perry. Total 2.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 105 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern,

Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Fagg, Giesick, Lockrem. Total 3.

Absent or not voting: Ainsworth. Total 1.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 130 was concurred in by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 96.

Noes: Anderson, East, Whitney, Zimmer. Total 4.

Absent or not voting: Ainsworth. Total 1.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 134 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmillar, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Marks, C. Smith, Spilde, Whitney. Total 4.

Absent or not voting: Watt. Total 1.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 138 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Lanthorn, Patrick, Perry, Wolf. Total 4.

Absent or not voting: Sverdsten. Total 1.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 139 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: None.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 139 (sic) was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: None.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 145 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Falkenstern, Keller, Selstad, C. Smith, Snortland, Whitney, Wolf. Total 7.

Absent or not voting: None.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 148 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: Keller, McNamer. Total 2.

Absent or not voting: None.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 220 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Ainsworth, Burnett, Campbell, Haines, Himsl, Schoonover, Worden. Total 7.

Absent or not voting: Fasbender. Total 1.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 230 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fal-kenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Gun-derson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lan-thorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, Mc-Grath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmilller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speakeer. Total 94.

Noes: Clemow, Forester, Greely, Lien, McNamer, C. Smith, Spilde. Total 7.

Absent or not voting: None.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 243 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Fagg, Falkenstern, Fasbender, Flem-ing, Forester, Gerke, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Keller, Kolstad, Kosena, Laas, Lee, Lock-rem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Mather, Mehrens, Menahan, J. Murhpy, Norman, Parrish, Patrick, Nel-stead, Quilici, Robbins, Shelden, Snortland, Staigmilller, Sverdsten, Swan-berg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Zody, Mr. Speaker. Total 72.

Noes: Bennett, Clemow, Eggebrecht, Ellerd, Fitzgarrald, Giesick, Glen-nen, Hemstad, Jackson, Kendall, Kvaalen, Lanthorn, Lien, McNamer, Mar-but, Marks, T. Murphy, Nichols, Perry, Prevost, Schoonover, Scott, Selstad, C. Smith, E. Smith, Spilde, Wolf, Worden. Total 28.

Absent or not voting: Zimmer. Total 1.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 287 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Fal-kenstern, Fasbender, Fitzgarrald, Gerke, Giesick, Glennen, Greely, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Mc-Namer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zim-mer, Zody, Mr. Speaker. Total 90.

Noes: Cox, Dye, Fleming, Forester, Gunderson, Hall, Kendall, J. Murphy, Selstad, Staigmilller. Total 10.

Absent or not voting: Schoonover. Total 1.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 281 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hainees, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 92.

Noes: Anderson, Harrison, Mather, Scott, Swanberg, Yardley. Total 6.

Absent or not voting: Lundgren, Marks, Zimmer. Total 3.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Bill No. 336 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: None.

Excused: Knudsen, Olson, Swan. Total 3.

Senate Joint Resolution No. 1 was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Aber, Fagg. Total 2.

Absent or not voting: Parrish. Total 1.

Excused: Burnett, Knudsen, Olson, Swan. Total 4.

Senate Joint Resolution No. 6 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fal-kenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glen-nen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kva-a-len, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Perry, Nel-stead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Laas, Patrick. Total 2.

Excused: Burnett, Knudsen, Olson, Swan. Total 4.

Harrison moved that Senate Amendments to House Joint Resolution No. 41 be passed for the day. Motion carried.

MOTIONS AND RESOLUTIONS

Christiansen, having voted on the prevailing side in concurring on Senate Bill No. 281 on Third Reading this day, moved that the House reconsider its action. Motion carried.

Christiansen moved that Senate Bill No. 281 be placed on Second Reading. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Towe in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 302 do pass.

That Senate Bill No. 13 be concurred in.

That Senate Bill No. 228 be concurred in.

That Senate Bill No. 140 be concurred in.

That Senate Joint Resolution No. 30 be concurred in.

That Senate Bill No. 29 be concurred in.

That Senate Bill No. 238 be concurred in.

That Senate Bill No. 80 be concurred in.

That Senate Bill No. 165 be concurred in.

That Senate Joint Resolution No. 2 be concurred in.

That Senate Joint Resolution No. 3 be concurred in.

That Senate Bill No. 46 be passed for the day.

That Senate Bill No. 112 be passed for the day.

That Senate Bill No. 166 be concurred in.

That Senate Joint Resolution No. 13 be concurred in.

That Senate Bill No. 81 be concurred in.

That Senate Bill No. 177 be concurred in.

That Senate Bill No. 198 be amended on page 3 of the approved bill, following line 17 by adding the following new material:

"Section 8. Architects and engineers designing or requiring excavating in or adjacent to any public street, alley or right-of-way dedicated to public use or utility easement shall obtain information as to underground facilities and then make said information a part of the plan by which the contractors operate. Nothing in this section shall excuse any person from obligation imposed by section 2 of this act.", and

Further amend on line 18, page 3 of the approved bill, after the word "Section" by striking the "8" and inserting in lieu thereof the figure "9", and

As so amended, be concurred in.

That Senate Bill No. 223 be concurred in.

That Senate Bill No. 207 be concurred in.

That Senate Bill No. 208 be concurred in.

That Senate Bill No. 205 be concurred in.

That Senate Bill No. 20 be passed for the day.

That Senate Bill No. 19 be passed for the day.

That Senate Amendments to House Bill No. 457 be not concurred in.

That the Committee rise and report.

TOWE, Chairman

Towe moved for adoption of the Committee of the Whole report.

As a substitute motion, Ulmer moved that House Bill No. 302 be segregated from the report, and as amended the report be adopted. Ulmer requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion carried by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nestead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 53.

Noes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 50.

Pairs: Aye, Swan; No, Kendall.
 Aye, Ellerd; No, Aspevig.
 Aye, Burnett; No, Fleming.
 Aye, Olson; No, Schoonover.
 Aye, Glennen; No, Knudsen.

Absent or not voting: Gunderson. Total 1.

Excused: None.

The Committee of the Whole report was adopted as amended.

MOTIONS AND RESOLUTIONS

Dye moved that further consideration of House Bill No. 302 be indefinitely postponed. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion carried by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nestead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 53.

Noes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 50.

Pairs: Aye, Swan; No, Kendall.
 Aye, Ellerd; No, Aspevig.
 Aye, Burnett; No, Fleming.
 Aye, Olson; No, Schoonover.
 Aye, Glennen; No, Knudsen.

Absent or not voting: Gunderson. Total 1.

Excused: None.

Harrison moved that Senate Bill No. 146 be taken from Committee on Ways and Means and be re-referred to Committee on Business and Industry. Motion carried.

Harrison moved that the House dispense with any formality in reading Senate Amendments to House Bills in full from here on. Motion carried unanimously.

Christiansen moved that the Speaker appoint a Conference Committee to meet with a like Committee from the Senate to consider Senate Amendments to House Bill No. 457. Motion carried.

Harrison moved that the House adjourn until 1:00 p.m., February 18, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FORTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 18, 1971

House convened, pursuant to adjournment, at 1:00 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

SPECIAL ORDER OF BUSINESS

The Jubileers of the Music Department of the University of Montana at Missoula presented a musical program.

On roll call all members were present except Burnett, Marbut, excused.

The Speaker signed the following bills in open session: Senate Bills Nos. 160, 104, 66, 67.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-Fifth Legislative Day find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

February 18, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 406, 598, 581, 287, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 17, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 21, 29, 30, 72, 380, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 2:20 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

February 18, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Joint Resolution No. 38.

MARKS, Chairman

I have examined House Joint Resolution No. 38, introduced by Henry S. Cox, and find the same to be correct.

COX

The Speaker signed House Joint Resolution No. 38 in open session.

February 18, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 93, respectfully report as follows: That Senate Bill No. 93 be concurred in.

HEMSTAD, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 128, respectfully report as follows: That Senate Bill No. 128 be concurred in.

HEMSTAD, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Resolution No. 11, respectfully report as follows: That House Resolution No. 11 be adopted.

HEMSTAD, Chairman

Report adopted.

HOUSE RESOLUTION NO. 11

Introduced by Weeding, East, Bardanouve.

A resolution of the House of Representatives of the State of Montana directing the Legislative Council to appoint an interim committee to study potential revisions in our present ground water laws, and prepare any necessary implementing legislation for the Forty-Third (43rd) Legislative Assembly.

WHEREAS, the State of Montana is endowed with an abundance of ground water under the surface of the land including the water under the bed of any stream, lake, reservoir or other body of surface water, and

WHEREAS, ground water, a very important natural resource, is increasingly being used for beneficial purposes, including domestic, livestock, agricultural, recreational and industrial uses, and

WHEREAS, there is an ever increasing need to protect prior rights to ground water use and future ground water right appropriators, and

WHEREAS, ground water right disputes are occurring which could be eliminated with revised ground water laws, and

WHEREAS, the present ground water code is inadequate to properly administer Montana's ground water use, both present and future, and

WHEREAS, the Montana Water Resources Board administers the ground water code for the State of Montana and supports revised laws to protect ground water users and to wisely administer this valuable natural resource for the general welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the legislative assembly recognize the need for revisions in the present ground water laws to better protect present and future users in the best interests of Montana's citizens.

BE IT FURTHER RESOLVED, that the Legislative Council of Montana shall be directed to appoint an interim committee to study revisions in the present ground water laws, to include a study of ground water permit systems. Said committee shall be authorized to hold hearings and meetings as they deem necessary and shall prepare changes in those laws to be proposed well in advance of the Forty-Third (43rd) Legislative Assembly.

BE IT FURTHER RESOLVED, that the secretary of state is requested to send a copy of this resolution to the executive director of the Legislative Council.

February 18, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 126, respectfully report as follows: That House Bill No. 126 do not pass.

NICHOLS, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 366, respectfully report as follows: That House Bill No. 366 do not pass.

NICHOLS, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 328, respectfully report as follows: That Senate Bill No. 328 be concurred in.

SWAN, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 214, respectfully report as follows: That Senate Bill No. 214 be concurred in.

SWAN, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 253, respectfully report as follows: That Senate Bill No. 253 be amended

Be amended on page 1, in the title, line 6, after the word "twenty" by striking the following material "-five (25)" and inserting in lieu thereof the following material "(20)", and

Be further amended on page 1, section 1, line 27, after the word "twenty" by striking the following material "-five", and

Be further amended on page 1, section 1, line 28, before the word "years" by striking the following material "(25)" and inserting in lieu thereof the following material "(20)"

And, as so amended, be concurred in.

SWAN, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 339, respectfully report as follows: That Senate Bill No. 339 be concurred in.

SWAN, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 329, respectfully report as follows:

That Senate Bill No. 329 be amended on page 1, section 1, line 17, after the word "adviser" by deleting the rest of the line.

And, as so amended, be concurred in.

SWAN, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 254, respectfully report as follows: That Senate Bill No. 254 be concurred in.

SWAN, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 313, respectfully report as follows: That Senate Bill No. 313 be not concurred in.

WARFIELD, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 249, respectfully report as follows: That Senate Bill No. 249 be amended

Warfield moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Amend section 1, page 1, line 20 of the approved Senate Committee on Education bill following the word "tuition" by adding the words "to the state institution";

And further amend section 1, page 1, lines 20 through 30 of the approved Senate Committee on Education bill following the word and punctuation "child," by omitting the following material "but whenever a child admitted to a state institution attends a school which is conducting special education classes approved by the state superintendent of public instruction within a local school district, the county wherein the child resided prior to admission to the state institution shall pay to the district where the child attends school, a tuition at the rate prescribed in section 75-7201, or twice that prescribed in section 75-7201 if the child be mentally retarded, or physically handicapped, or both" and insert in lieu thereof the following material "but whenever at the recommendation of institution officials such child attends classes conducted by a school within a local district, the district wherein the parents or guardian of the child maintain legal residence shall pay tuition to the district or county operating the school in accordance with the provisions of section 75-7201 or section 75-7808, whichever section applies to the circumstances of the child.";

And further amend Section 1, page 2, line 1 of the approved Senate Committee on Education bill by omitting the word "to" and inserting in lieu thereof the word "for";

And further amend Section 1, page 2, line 1 of the approved Senate Committee on Education bill following the word "such" by omitting the words "approved special education class" and inserting in lieu thereof the word "classes".

And as so amended, be concurred in.

WARFIELD, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 155, respectfully report as follows: That Senate Bill No. 155 be concurred in.

WARFIELD, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 39, respectfully report as follows: That Senate Bill No. 39 be concurred in.

SCOTT, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 40, respectfully report as follows: That Senate Bill No. 40 be concurred in.

SCOTT, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 245, respectfully report as follows: That Senate Bill No. 245 be concurred in.

PERRY, Vice-Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 291, respectfully report as follows: That Senate Bill No. 291 be concurred in.

PERRY, Vice-Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 272, respectfully report as follows: That Senate Bill No. 272 be concurred in.

PERRY, Vice-Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 77, respectfully report as follows: That Senate Bill No. 77 be concurred in.

PERRY, Vice-Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 341, respectfully report as follows: That Senate Bill No. 341 be not concurred in.

PERRY, Vice-Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 42, respectfully report as follows: That Senate Bill No. 42 be concurred in.

KELLER, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 64, respectfully report as follows: That Senate Bill No. 64 be concurred in.

KELLER, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 113, respectfully report as follows: That Senate Bill No. 113 be amended

Be amended in section 1, page 1, line 10 of the bill, after the word "who" by adding the word "knowingly"; and

Be further amended in section 1, page 1, line 13 of the bill, after the word "without" by striking the words "[staff permission]" and inserting in lieu thereof the following words: "permission of the medical staff"

And, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

KELLER, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 201, respectfully report as follows: That Senate Bill No. 201 be concurred in.

KELLER, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 202, respectfully report as follows: That Senate Bill No. 202 be amended in the title on page 1, line 14, after the word "omissions" by striking the following material: "[and providing an effective date]"

And, as so amended, be concurred in.

(Material in brackets denotes cancelled type.)

KELLER, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 304, respectfully report as follows: That Senate Bill No. 304 be concurred in.

KELLER, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Joint Resolution No. 29, respectfully report as follows: That Senate Joint Resolution No. 29 be concurred in.

WOLF, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 194, respectfully report as follows: That Senate Bill No. 194 be concurred in.

WOLF, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 196 respectfully report as follows: That Senate Bill No. 196 be concurred in.

WOLF, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 206, respectfully report as follows: That Senate Bill No. 206 be concurred in.

WOLF, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 91, respectfully report as follows: That Senate Bill No. 91 be concurred in.

WOLF, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 195, respectfully report as follows: That Senate Bill No. 195 be concurred in.

WOLF, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 286, respectfully report as follows: That House Bill No. 286 do pass.

ULMER, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 419, respectfully report as follows: That House Bill No. 419 do pass.

ULMER, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 421, respectfully report as follows: That House Bill No. 421 do not pass.

Report adopted.

ULMER, Chairman

February 18, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 578, respectfully report as follows: That House Bill No. 578 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the committee report.

As a substitute motion, Hall moved that House Bill No. 578 be printed and placed on Second Reading. Substitute motion failed.

Committee report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 181, respectfully report as follows: That Senate Bill No. 181 be not concurred in.

ULMER, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 263, respectfully report as follows: That Senate Bill No. 263 be concurred in.

ULMER, Chairman

Report adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Constitutional Convention, having had under consideration Senate Joint Resolution No. 14, respectfully report as follows: That Senate Joint Resolution No. 14 be not concurred in.

J. MURPHY, Chairman

Report adopted.

The Speaker appointed the following as members of a conference committee on Senate Amendments to House Bill No. 457: Cox, Chairman, Lund, Christiansen.

MESSAGES FROM THE GOVERNOR

February 18, 1971

Honorable James P. Lucas
Speaker for the House
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed the following measures: House Bills Nos. 21, 72, 179, 267 and 380.

Sincerely,
FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

February 17, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate requests the return of House Bill No. 203 for further consideration.

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

February 18, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and Senate Joint Resolution No. 20 is being returned herewith for further consideration.

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

February 17, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Committee of the Whole recommended that House Joint Resolution No. 10 be indefinitely postponed, report adopted, and the bill is herewith returned to the House.

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

February 18, 1971

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration House Joint Resolution No. 10.

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

February 17, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House bills were read third time and concurred in as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 575, introduced by Nichols

House Bill No. 4, introduced by Kvaalen, McGrath

House Bill No. 7, introduced by Scott, Mather, and Yardley

House Bill No. 19, introduced by Keller, et al.

Respectfully,
WALTER H. MARSHALL
Secretary of the Senate

February 17, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were read third time and concurred in, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 161, introduced by Dye, et al

House Bill No. 122, introduced by Wolf, Kolstad, and Fagg

House Bill No. 121, introduced by Wolf, Kolstad, and Fagg

House Bill No. 120, introduced by Wolf, Kolstad, and Fagg

House Bill No. 178, introduced by Schoonover, et al

House Bill No. 76, introduced by McKittrick, et al

House Bill No. 100, introduced by Lundgren, McNamer, and Lanthorn

House Bill No. 422, introduced by Devine and Kolstad

House Bill No. 32, introduced by Scott, et al

House Joint Resolution No. 7, introduced by Haines, et al.

Respectfully

WALTER H. MARSHALL
Secretary of the Senate

February 17, 1971

Mr. Speaker:

The Senate this day, acceded to the request of the House for the appointment of a Conference Committee to consider Senate Amendments to House Bill No. 98 and the President appointed:

Senator Dzivi, Chairman

Senator Hafferman

Senator Turnage.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

McGrath, having voted on the prevailing side on the forty-fifth legislative day in adopting an adverse committee report on House Bill No. 156, moved that the House reconsider its action and that House Bill No. 156 be printed and placed on Second Reading. He requested a roll call vote, with the ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Aber, Anderson, Brand, Brown, Christiansen, Cox, East, Eggebrecht, Falkenstern, Fleming, Forester, Gerke, Giesick, Glennen, Hall, Harper, Healy, Hemstad, Himsl, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Mehrens, Menahan, Nelstead, Prevost, Quilici, Robbins, Schoonover, Staigmiller, Swan, Weeding, Whitney, Yardley, Zimmer. Total 46.

Noes: Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Campbell, Clemow, Devine, Dye, Edland, Ellerd, Fagg, Fasbender, Fitzgarrahd, Greely, Gunderson, Haines, Hodges, Keller, Lanthorn, Lien,

Lockrem, McNamer, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swanberg, Towe, Ulmer, Watt, Wolf, Worden, Zody, Mr. Speaker. Total 51.

Absent or not voting: Darrow, Harrison, Kvaalen, Lockwood, Warfield. Total 5.

Excused: Burnett, Marbut. Total 2.

Bardanoue, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on Senate Bill No. 315 and that it be placed on Second Reading. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Aber, Anderson, Baeth, Bardanoue, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Hodges, Johnston, Kendall, Knudsen, Kosena Lien, Lund, McKittrick, Marks, Mehrens, Menahan, T. Murphy, Parrish, Perry, Prevost, Schoonover, Sheldon, E. Smith, Staigmiller, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 41.

Noes: Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Campbell, Clemow, Cox, Darrow, Dye, East, Fagg, Falkenstern, Fitzgarrald, Forester, Glennen, Haines, Harper, Harrison, Healy, Hemstad Himsl, Jackson, Keller, Kolstad, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, Mather, J. Murphy, Olson, Patrick, Nelstead, Quilici, Robbins, Scott, Slestad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 54.

Absent or not voting: Ellerd, Giesick, Kvaalen, McNamer, Nichols, Norman, Warfield. Total 7.

Excused: Burnett, Marbut. Total 2.

Harrison moved that the Rules be suspended and the House recall House Bills Nos. 29 and 30 from the Governor's office. Motion carried.

THIRD READING OF SENATE BILLS

The following bills having been read three several times, title agreed to, were disposed of in the following manner:

Senate Bill No. 13 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Lien, Lockwood, Parrish, Robbins, Swanberg, Yardley. Total 6.

Absent or not voting: Kvaalen, McGrath, McNamer, Menahan, Weeding. Total 5.

Excused: Burnett, Marbut. Total 2.

Senate Bill No. 29 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Bennett, Eggebrecht, Lanthorn, Patrick, Perry, Prevost, Wolf. Total 7.

Absent or not voting: Kvaalen, McGrath, Menahan, Weeding. Total 4.

Excused: Burnett, Marbut. Total 2.

Senate Bill No. 80 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Darrow, Dye, East, Edland, Fagg, Falkenstern, Fasbender, Fitzgarrald, Forester, Glennen, Greely, Haines, Hall, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lund, Lundgren, McKittrick, McNamer, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 77.

Noes: Brand, Clemow, Cox, Devine, Eggebrecht, Ellerd, Fleming, Gerke, Giesick, Gunderson, Harper, Healy, Lanthorn, Lee, Lockwood, Lombardi, Lynch, Mehrens, Prevost, Quilici, Schoonover, Yardley, Zimmer. Total 23.

Absent or not voting: McGrath, Menahan. Total 2.

Excused: Burnett, Marbut. Total 2.

Senate Bill No. 81 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: McGrath, Menahan. Total 2.

Excused: Burnett, Marbut. Total 2.

Senate Bill No. 140 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Anderson, Brand, Lund, Patrick, Swan. Total 5.

Absent or not voting: Mather, Menahan. Total 2.

Excused: Burnett, Marbut. Total 2.

Senate Bill No. 165 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marks, Mehrens, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Anderson, Brown, Clemow, Forester, Hemstad, Lundgren, Perry, C. Smith, Wolf. Total 9.

Absent or not voting: Dye, Haines, Mather, Menahan, J. Murphy. Total 5.

Excused: Burnett, Marbut. Total 2.

Giesick moved that Senate Bill No. 166 be taken from Third Reading and be placed on Second Reading. Motion carried.

Senate Bill No. 177 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marks, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 96.

Noes: Lee, Lynch, Quilici. Total 3.

Absent or not voting: Mather, Menahan, Zimmer. Total 3.

Excused: Burnett, Marbut. Total 2.

Senate Bill No. 198 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkens-tern, Fasbender, Fitzgarraird, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Rob-bins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Lien, Lockrem, Marks, Perry, C. Smith, Spilde, Whitney, Yard-ley. Total 8.

Absent or not voting: Mather, Menahan. Total 2.

Excused: Burnett, Marbut. Total 2.

Senate Bill No. 205 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-tern, Fasbender, Fitzgarraird, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Haines, Mather, Menahan. Total 3.

Excused: Burnett, Marbut. Total 2.

Senate Bill No. 207 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-tern, Fasbender, Fitzgarraird, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Giesick, Lockrem, Selstad, Weeding. Total 4.

Absent or not voting: Mather. Total 1.

Excused: Burnett, Marbut. Total 2.

Senate Bill No. 208 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 96.

Noes: Giesick, Schoonover, E. Smith. Total 3.

Absent or not voting: Anderson, Mather, Zimmer. Total 3.

Excused: Burnett, Marbut. Total 2.

Senate Bill No. 223 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Mather, Zimmer. Total 2.

Excused: Burett, Marbut. Total 2.

Senate Bill No. 228 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Christiansen, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Shelden, E. Smith, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 75.

Noes: Ainsworth, Brown, Campbell, Clemow, Cox, Fitzgarrald, Giesick, Haines, Hemstad, Keller, Laas, Lanthorn, Lien, Lund, Marks, Nichols, Patrick, Scott, Selstad, C. Smith, Snortland, Spilde, Staigmiller, Swan, Ulmer, Wolf. Total 26.

Absent or not voting: Mather. Total 1.

Excused: Burnett, Marbut. Total 2.

Senate Bill No. 238 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Christiansen, Cox, Darrow, East, Edland, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lockrem, Lundgren, McKittrick, McNamer, Marks, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 77.

Noes: Brand, Campbell, Clemow, Devine, Dye, Eggebrecht, Ellerd, Harper, Healy, Kendall, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, Mehrens, J. Murphy, Quilici, C. Smith, Spilde, Sverdsten, Whitney. Total 24.

Absent or not voting: Mather. Total 1.

Excused: Burnett, Marbut. Total 2.

Senate Amendment to House Joint Resolution No. 41 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McKittrick, McNamer, Marks, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmilller, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Brown, Lundgren, J. Murphy, Parrish, Swanberg. Total 5.

Absent or not voting: McGrath, Mather, Spilde, Sverdsten, Swan. Total 5.

Excused: Burnett, Marbut. Total 2.

Senate Joint Resolution No. 2 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Lynch. Total 1.

Absent or not voting: McNamer, Mather, Patrick, Spilde. Total 4.

Excused: Burnett, Marbut. Total 2.

Senate Joint Resolution No. 3 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: McNamer, Mather, Patrick. Total 3.

Excused: Burnett, Marbut. Total 2.

Senate Joint Resolution No. 13 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marks, Mehrens, Menahan, J. Murphy, Nichols, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Warfield, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Asbjornson, Gunderson, Hemstad, Himsl, Lockwood, T. Murphy, Norman, Olson, Parrish, C. Smith, Ulmer, Watt, Whitney. Total 13.

Absent or not voting: McNamer, Mather, Patrick. Total 3.

Excused: Burnett, Marbut. Total 2.

Senate Joint Resolution No. 30 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marks, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: J. Murphy. Total 1.

Absent or not voting: McNamer, Mather, Patrick. Total 3.

Excused: Burnett, Marbut. Total 2.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

A motion was made by Harrison that the House resolve itself into a Committee of the Whole, for the consideration of business under Second Reading. Motion carried.

Ed Smith in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 46 be concurred in.

That Senate Bill No. 112 be amended in Section 1, by adding in line 10, page 1 of the Senate approved bill after the word "person" the words "other than a parent or one having legal custody of the person of the patient or inmate" and

Further amend by adding before the word "staff" on line 13, page 1, the words "properly authorized member of the" and after the word "staff" on line 13, page 1, the words "or proper court order."

And, as amended, be concurred in.

That Senate Bill No. 20 be amended by deleting Section 2 in its entirety and, as so amended, be concurred in.

That Senate Bill No. 19 be amended by deleting Section 2 in its entirety and, as so amended, be concurred in.

That Senate Bill No. 7 be concurred in.

That Senate Bill No. 71 be concurred in.

That Senate Bill No. 219 be concurred in.

That Senate Bill No. 4 be concurred in.

That House Bill No. 246 do pass.

That Senate Bill No. 244 be passed for the day.

That Senate Bill No. 281 be amended in Section 1, page 2, line 3 and 4 of the approved bill by Committee on Public Lands, by deleting the following material after the word "royalties" "[then in effect with respect to]" and inserting in lieu thereof the following material "in effect at the date of the exchange of",

And, as amended, be concurred in.

That Senate Bill No. 127 be concurred in.

That Senate Bill No. 121 be concurred in.

That Senate Bill No. 116 be amended on line 7 in the title after the words "away from home" by adding the following "; and increasing the allowed expenses of the person receiving training."

And, as amended, be concurred in.

That the Committee rise and report.

(Material in brackets denotes cancelled type.)

ED SMITH, Chairman

Ed Smith moved for adoption of the Committee of the Whole report.

As a substitute motion, Mather moved that House Bill No. 246 be segregated from the Committee of the Whole report and that the report be adopted as amended. A roll call vote was requested with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aber, Cox, Fitzgarrald, Forester, Harrison, Jackson, Kolstad, Kvaalen, Lockrem, Marks, Mather, Nichols, Olson, Prevost, Scott, Selstad, C. Smith, E. Smith, Sverdsten. Total 19.

Noes: Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Gerke, Giesick, Glennen, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Johnston, Keller, Kendall, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Mehrens, Menahan, J. Murphy, Norman, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Worden, Zimmer, Zody, Mr. Speaker. Total 65.

Absent or not voting: Ainsworth, Asbjornson, Aspevig, Campbell, Clemow, Eggebrecht, Greely, Hemstad, Knudsen, Lundgren, T. Murphy, Perry, Snorland, Spilde, Swan, Warfield, Wolf, Yardley. Total 18.

Excused: Burnett, Marbut. Total 2.

Thereupon, the Committee of the Whole report was adopted.

Harrison moved that the House adjourn until 1:30 p.m., February 19, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

FORTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 19, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Burnett, Hall, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Forty-Sixth Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

February 19, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 246.

MARKS, Chairman

February 19, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 286, 419, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 19, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 32, 161, 76, 122, House Joint Resolution No. 7.

MARKS, Chairman

February 19, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be removed from the payroll effective dates as listed:

Jane Brown Jones
Tom Pocha

Asst. Chief, Enrolling
Security Guard

2/17/71
2/13/71

And further recommend that Zella Neilson be changed from Proof-reader to Assistant Chief, Enrolling, effective 2/18/71.

And further recommend that Paul E. Shaw be added to the payroll as Doorkeeper effective 2/19/71.

SPILDE, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 157, respectfully report as follows: That Senate Bill No. 157 be concurred in.

WORDEN, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Joint Resolution No. 28, respectfully report as follows: That Senate Bill No. 28 be concurred in.

WORDEN, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Joint Resolution No. 19, respectfully report as follows: That Senate Joint Resolution No. 19 be concurred in.

WORDEN, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 331, respectfully report as follows: That Senate Bill No. 331 be not concurred in.

Report adopted.

WORDEN, Chairman

February 19, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 173, respectfully report as follows: That Senate Bill No. 173 be concurred in.

Report adopted.

WORDEN, Chairman

February 19, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 111, respectfully report as follows: That Senate Bill No. 111

Be amended on page 2, line 19, section (c), after the word "any" and before the word "state" by inserting the word "Montana", and

As amended, be concurred in.

Report adopted.

EAST, Chairman

February 17, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 115, respectfully report as follows: That Senate Bill No. 115, respectfully report as follows: That Senate Bill No. 115 be concurred in.

Report adopted.

EAST, Chairman

February 19, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 110, respectfully report as follows: That Senate Bill No. 110 be concurred in.

Report adopted.

EAST, Chairman

February 19, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 109, respectfully report as follows: That Senate Bill No. 109

Be amended on page 3, section 1, line 4 following the comma after the word "charges" by inserting the following words: "which shall be limited to such charges as prevail in the same hospital for similar treatment of private patients," and

As amended, be concurred in.

Report adopted.

EAST, Chairman

February 19, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 300, respectfully report as follows: That Senate Bill No. 300 be not concurred in.

EAST, Chairman

East moved for adoption of the committee report.

As a substitute motion, McKittrick moved that Senate Bill No. 300 be placed on Second Reading and requested that the Ayes and Nays be spread on the journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Edland, Fasbender, Fleming, Gerke, Greely, Gunderson, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 46.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Pair: Aye, Christiansen; No, Burnett.

Absent or not voting: Eggebrecht, J. Murphy. Total 2.

Excused: Hall. Total 1.

The committee report was adopted.

The Speaker signed the following bills in open session: Senate Bills Nos. 145, 287, 243, 105, 74, 230, 138, 130.

February 19, 1971

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 117, respectfully report as follows: That Senate Bill No. 117 be not concurred in.

EAST, Chairman

East moved for adoption of the committee report.

As a substitute motion, Edland moved that Senate Bill No. 117 be placed on Second Reading and requested that the Ayes and Nays be spread on the Journal. Sufficient seconds arose.

The substitute motion carried by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 54.

Noes: Asbjornson, Campbell, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Kvaalen, Lockrem, Lockwood, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 42.

Absent or not voting: Clemow, Harper, Healy, Knudsen, T. Murphy, Warfield. Total 6.

Excused: Burnett, Hall. Total 2.

February 19, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 296, respectfully report as follows: That Senate Bill No. 296

Be amended on page 3, line 7 of the amended bill by striking the following words "[continuation or initiation of]" and inserting in lieu thereof the word "initiate", and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

COX. Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 288, respectfully report as follows: That Senate Bill No. 288 be concurred in.

COX. Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 164, respectfully report as follows: That Senate Bill No. 164 be concurred in.

COX. Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 65, respectfully report as follows: That Senate Bill No. 65 be amended

E. Smith moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 10 of the bill approved by the Committee on Fish and Game February 4, 1971, after the figures "1947" by adding the following new material: "and providing an effective date", and

Be further amended on page 1, line 24, before the word "nonresident" by deleting the following words "[a few personal]" and inserting in lieu thereof the words "resident or", and

Be further amended on page 1, line 24, after the word "compensation" by deleting the following words "[of any kind]", and

Be further amended on page 2, line 4, by deleting the material therein in its entirety and inserting in lieu thereof the following material "May 1 of each year and ending April 30 of the", and

Be further amended on page 2, section 2, line 24, after the word "The" by adding the word "nonresident", and

Be further amended on page 9, section 8, lines 26 through 28 by deleting the material on said lines in its entirety and inserting in lieu thereof the following material: "(4) A resident guide shall have been issued a valid resident wildlife conservation license.", and

Be further amended on page 10, section 8, line 16 by deleting the line in its entirety and inserting in lieu thereof the following material: "Resident guide's license is a valid Montana wildlife conservation license.", and

Be further amended on page 10, section 8, line 27, after the word "applicant" and before the word "and" by inserting the following material: "for outfitter's license", and

Be further amended on page 14, section 14, line 21 after the word "The" by deleting the word "[supervisors]" and inserting in lieu thereof the following word: "supervisor", and

Be further amended on page 15, section 18, line 6, after the word "effective" by deleting the word "[January]" and inserting in lieu thereof the word "May", and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

E. SMITH, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 23, respectfully report as follows: That Senate Bill No. 23 be concurred in.

E. SMITH, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 158, respectfully report as follows: That House Bill No. 158 do not pass.

ULMER, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 88, respectfully report as follows: That Senate Bill No. 88 be amended

Ulmer moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended in the title of the original and reproduced bill, page 1, line 5 after the figures and punctuation "1947", by deleting the following words "[to provide for]" and inserting in lieu thereof the word "concerning", and

Further amend in the title of the original and reproduced bill, page 1, line 9 after the word "law" by inserting the following new material "and providing an effective date", and

Further amend in section 1, page 2 of the original and reproduced bill, beginning with line 15, all of page 3, and page 4, lines 1 through 6 by striking the material in its entirety, and

Further amend in section 1, page 5 of the original and reproduced bill, following line 13 by inserting the following new subsection "6. It is hereby declared that the Legislative Assembly of the State of Montana has enacted Chapter 235, Laws of 1961, now codified in 84-1504, R.C.M., 1947, for the sole purpose of establishing a definition of the term 'gross income,' against which only those items referred to in section 84-1502, R.C.M., 1947, are deductible therefrom in determining taxable income; that deductions permitted in the Internal Revenue Code are not deductible against 'gross income' as defined by Chapter 235, Laws of 1961, except to the extent permitted in section 84-1502, R.C.M., 1947; and that said gross income consists of all income derived from or attributable to sources

within Montana to the extent recognized in the determination of gross income as defined in the Internal Revenue Code in effect for the taxable period, and also includes interest income exempt from Federal income tax.", and

As so amended, be concurred in.

(Material in brackets denotes cancelled type.)

ULMER, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 179, respectfully report as follows: That Senate Bill No. 179 be amended

Ulmer moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Amend the title, page 1 of the approved Committee of the Whole bill dated February 2, 1971, lines 6, 7 and 8, following the word "homes" on line 6 by striking the words and figures "[and all of or the first seventeen thousand five hundred dollars (\$17,500) of value of improvements on real estate]".

Amend section 1, page 5, line 20, following the words and punctuation "Class Eight." by striking all of the material contained in lines 20, page 5, through line 11, page 7, and inserting in lieu thereof the following material:

"Any improvement on real property, trailers affixed to land or mobile home belonging to any person who qualifies under any one or more of the hereinafter set forth categories, valued at not more than seventeen thousand five hundred dollars (\$17,500), which is owned [and] or under a contract for deed, and which is actually occupied by:[a widow, with or without minor or dependent children, or by:]

(1) a widow sixty-two (62) years of age or older, whether with or without minor dependent children, who qualifies under the income limitations of (4), or

(2) a widower sixty-five (65) years of age or older, whether with or without minor dependent children, who qualifies under the income limitations of (4), or

(3) a widow with minor or dependent children regardless of age, who qualifies under the income limitations of (4), or

(4) a recipient of retirement benefits whose income from all sources is not more than [three thousand three hundred dollars (\$3,300)] four thousand dollars (\$4,000) for a single person and [four thousand five hundred dollars (\$4,500)] five thousand two hundred dollars (\$5,200) for a married couple per annum. Provided, further, that one who applies for classification of property under this class must make an affidavit before the county assessor of the county in which said property is located, on a form as may be provided by the state board of equalization supplied without cost to the applicant, as to his income, if applicable, as to his retirement benefits, if applicable, or, as to his marital status, if applicable, and to the fact that he or she actually occupies such improvements with right of the county welfare board to investigate the applicant, on the completion of the form, as to answers given on the form. Provided,

further, that the value of said property shall not increase during the life of the recipient of retirement benefits or widow or widower covered under this class.", and

As so amended, be concurred in.

(Material in brackets denotes canceled type.)

ULMER, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 579, respectfully report as follows: That House Bill No. 579

Be amended in the title, being page 1, lines 5 and 6, following the word "the" by striking the material "Governor's office from the general fund" and inserting the following material: "Department of Administration from the Capitol Building Fund";

And further amend the title after the word "Capitol", by striking the word "building", on line 7;

Further amend page 1, section 1, lines 11 and 12, after the word "the", by striking the material "general fund" and inserting the material "capitol building fund";

Further amend page 1, section 1, line 14, by striking the material "governor's office" and inserting the material "department of administration";

And further amend page 1, section 1, line 15, after the word "capitol" by striking the word "building";

And as amended, do pass.

NICHOLS, Chairman

Report adopted.

February 18, 1871

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Joint Resolution No. 12, respectfully report as follows: That Senate Joint Resolution No. 12 be concurred in.

LUNDGREN, Chairman

Report adopted.

February 18, 1871

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Bill No. 45, respectfully report as follows: That Senate Bill No. 45 be concurred in.

LUNDGREN, Chairman

Report adopted.

February 18, 1871

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Joint Resolution No. 23, respectfully report as follows: That Senate Joint Resolution No. 23 be concurred in.

LUNDGREN, Chairman

Report adopted.

February 18, 1871

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Joint Resolution No. 16, respectfully report as follows: That Senate Joint Resolution No. 16 be concurred in.

LUNDGREN, Chairman

Report adopted.

February 18, 1871

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Joint Resolution No. 28, respectfully report as follows: That Senate Joint Resolution No. 28 be concurred in.

LUNDGREN, Chairman

Report adopted.

February 18, 1871

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Joint Resolution No. 4, respectfully report as follows: That Senate Joint Resolution No. 4 be concurred in.

LUNDGREN, Chairman

Report adopted.

February 18, 1871

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Bill No. 149, respectfully report as follows: That Senate Bill No. 149 be not concurred in.

LUNDGREN, Chairman

Lundgren moved for adoption of the committee report.

As a substitute motion, Scott moved that Senate Bill No. 149 be placed on Second Reading, requesting a roll call vote, with Ayes and Nays spread on the Journal. Sufficient seconds arose.

Haines moved the previous question. Motion carried.

The substitute motion failed by the following vote:

Ayes: Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christian-sen, Devine, Edland, Fagg, Fasbender, Fleming, Gerke, Giesick, Greely, Gunderson, Hodges, Johnston, Kendall, Kosena, Lee, Lombardi, Lund, Lynch, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Warfield, Watt, Yardley. Total 42.

Noes: Aber, Anderson, Asbjornson, Aspevig, Campbell, Clemow, Cox, Darrow, Dye, East, Eggebrecht, Ellerd, Falkenstern, Fitzgarrald, Forester, Glennen Haines, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lundgren, McGrath, McNamer, Marks, Mather, Nichols, Olson, Patrick, Perry, Nelstead, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 54.

Absent or not voting: Ainsworth, Keller, Lien, J. Murphy, Robbins, Zimmer. Total 6.

Excused: Burnett, Hall. Total 2.

The committee report was adopted.

February 17, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 318, respectfully report as follows: That Senate Bill No. 318

Be amended in the title of the bill on page 1 in lines 4 and 5, by omitting the following: "Sixty (60)" and by inserting in lieu thereof the following: "Thirty (30)", and

Be further amended on page 1 of the bill by omitting all of sections 1 and 2 and by inserting in lieu thereof the following: "Section 1. No insurer shall cancel or refuse to renew any policy providing fire coverage on any home occupied by the insured as a domicile without first giving to the insured thirty (30) days' notice in writing.", and

Be further amended on page 1 in line 20 of the bill by renumbering section 3 to be section 2, and

As amended, be concurred in.

WORDEN, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 222, respectfully report as follows: That Senate Bill No. 222 be concurred in.

SCOTT, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 314, respectfully report as follows: That Senate Bill No. 314 be concurred in.

SCOTT, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 189, respectfully report as follows: That Senate Bill No. 189 be concurred in.

SCOTT, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 119, respectfully report as follows: That Senate Bill No. 119 be concurred in.

SCOTT, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 61, respectfully report as follows: That Senate Bill No. 61 be concurred in.

SCOTT, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 60, respectfully report as follows: That Senate Bill No. 60 be concurred in.

SCOTT, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 308, respectfully report as follows: That Senate Bill No. 308 be not concurred in.

SCOTT, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 34, respectfully report as follows: That Senate Bill No. 34 be not concurred in.

SCOTT, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Resolution No. 25, respectfully report as follows: That Senate Joint Resolution No. 25 be not concurred in.

SCOTT, Chairman

Report adopted.

I have examined House Bill No. 32, introduced by me, and find the same to be correct.

SCOTT

I have examined House Bill No. 161, introduced by me, and find the same to be correct.

DYE

I have examined House Bill No. 76, introduced by me, and find the same to be correct.

McKITTRICK

I have examined House Joint Resolution No. 7, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 122, introduced by me, and find the same to be correct.

WOLF

The Speaker signed the following bills in open session: House Bills Nos. 161, 32, 76, 122 and House Joint Resolution No. 7.

MESSAGES FROM THE SENATE

February 19, 1971

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration House Bill No. 408.

Respectfully.

WALTER H. MARSHALL
Secretary of the Senate

February 18, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House bills, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 261, introduced by Swanberg, et al

House Bill No. 473, introduced by Bardanouve, Kolstad, and East

House Bill No. 285, introduced by Hall

House Bill No. 8, introduced by Watt, et al

House Bill No. 17, introduced by Keller

House Bill No. 196, introduced by Keller, Snortland and Brown

House Bill No. 43, introduced by Kosena

House Bill No. 247, introduced by Lien, et al

House Bill No. 332, introduced by Lanthorn, Bennett

House Bill No. 198, introduced by Marks, et al

House Bill No. 167, introduced by Burnett, et al

House Bill No. 109, introduced by Harper (by request)

House Bill No. 10, introduced by Bardanouve

House Bill No. 407, introduced by C. Smith, et al

House Joint Resolution No. 13, introduced by Haines, et al

House Joint Resolution No. 22, introduced by Haines and Schoonover

House Joint Resolution No. 29, introduced by Fagg and Yardley

Respectfully.

WALTER H. MARSHALL
Secretary of the Senate

February 18, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in as amended the following House bills, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate Amendments.

House Bill No. 352, introduced by Nelstead, et al

House Bill No. 9, introduced by Mather, et al

House Bill No. 6, introduced by Scott, Cox and Glennen
House Bill No. 518, introduced by Dye and Aspevig
House Bill No. 42, introduced by Giesick and Yardley
House Bill No. 242, introduced by Gunderson, et al
House Bill No. 572, introduced by Bardanouve
House Bill No. 180, introduced by J. Murphy
House Joint Resolution No. 1, introduced by Schoonover, et al

Respectfully.

WALTER H. MARSHALL
Secretary of the Senate

February 18, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills came out of their respective Committees with the recommendation that the bills be not concurred in, report adopted, and the bills are herewith returned to the House.

House Bill No. 408, introduced by Bardanouve & Ulmer
House Bill No. 530, introduced by Giesick, et al
House Bill No. 206, introduced by Glennen, et al
House Bill No. 18, introduced by Haines, et al

Respectfully.

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 602, introduced by Haines, Ainsworth, Worden, Watt, Campbell, Norman: A bill for an act entitled: "An act appropriating one million three hundred twenty thousand dollars (\$1,320,000) from the Long-Range Building Program Account, Bond Proceeds and Insurance Clearance Fund to the University of Montana at Missoula for the second phase of the Library." Referred to Committee on Appropriations.

House Bill No. 603, introduced by Zody, Olson: A bill for an act entitled: "An act appropriating moneys from the 'Long-Range Building Program Account, Bond Proceeds and Insurance Clearance Fund' to the state controller for a capital project for the Montana Water Resources Board for the biennium ending June 30, 1973; and authorizing the use of federal and private funds available for that purpose." Referred to Committee on Appropriations.

MOTIONS AND RESOLUTIONS

Harrison moved that the House accede to the Senate's request for the return of House Joint Resolution No. 10, House Bill No. 203, and House Bill No. 408. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself in to a Committee of the

Whole for the consideration of business under Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 133 be concurred in.

That Senate Bill No. 78 be concurred in.

That Senate Bill No. 107 be concurred in.

That Senate Bill No. 106 be concurred in.

That Senate Bill No. 204 be passed for the day.

That Senate Bill No. 167 be concurred in.

That Senate Amendments to House Bill No. 14 be concurred in.

That Senate Bill No. 83 be concurred in.

That Senate Bill No. 120 be concurred in.

That Senate Bill No. 108 be concurred in.

That House Bill No. 406 do pass.

That House Bill No. 598 do pass.

That House Bill No. 581 do pass.

That House Bill No. 287 do pass.

That Senate Bill No. 244 be concurred in.

That Senate Bill No. 128 be amended by striking section 3 in its entirety,

And as amended, be concurred in.

That Senate Bill No. 93 be concurred in.

That Senate Bill No. 328 be concurred in.

That Senate Bill No. 214 be concurred in.

That Senate Bill No. 339 be concurred in.

That Senate Bill No. 254 be concurred in.

That Senate Bill No. 155 be passed for the day.

That Senate Bill No. 39 be concurred in.

That Senate Bill No. 40 be concurred in.

That Senate Bill No. 245 be concurred in.

That Senate Bill No. 291 be passed for the day.

That Senate Bill No. 272 be concurred in.

That Senate Bill No. 77 be concurred in.

That Senate Bill No. 42 be concurred in.

That Senate Bill No. 64 be concurred in.

That Senate Bill No. 201 be concurred in.

That the Committee rise and report.

COX, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Haines moved that House Bills Nos. 602 and 603 be taken from the Committee on Appropriations and be re-referred to Committee on long-Range Building. Motion carried.

Harrison moved that the House adjourn until 11:30 a.m., February 20, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

FORTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 20, 1971

House convened, pursuant to adjournment, at 11:30 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Fitzgarrauld, excused.

SPECIAL ORDER OF BUSINESS

Barbershop singing groups from Helena, Missoula and Great Falls presented a program of songs.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Forty-Seventh Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

February 19, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 100, 120, 121, 178, 422.

MARKS, Chairman

I have examined House Bill No. 100, introduced by me, and find the same to be correct.

LUNDGREN

I have examined House Bill No. 120, introduced by me, and find the same to be correct.

WOLF

I have examined House Bill No. 121, introduced by me, and find the same to be correct.

WOLF

I have examined House Bill No. 178, introduced by me, and find the same to be correct.

SCHOONOVER

I have examined House Bill No. 422, introduced by me, and find the same to be correct.

DEVINE

The Speaker signed in open session the following bills: House Bills Nos. 100, 120, 121, 178, 422.

February 20, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 406, 598, 581, 287.

MARKS, Chairman

February 20, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 579, beg leave to report that the same has this date been returned from the printer correctly printed.

MARKS, Chairman

February 20, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 32, 76, 122, 161, House Joint Resolutions Nos. 38 and 7, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 10:15 o'clock a.m., delivered to the Governor for his approval.

MARKS, Chairman

February 20, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 8, respectfully report as follows: That Senate Bill No. 8 be not concurred in.

KELLER, Chairman

Report adopted.

February 20, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 284, respectfully report as follows: That Senate Bill No. 284 be not concurred in.

FALKENSTERN, Chairman

Report adopted.

February 20, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 229, respectfully report as follows: That Senate Bill No. 229 be concurred in.

FALKENSTERN, Chairman

Report adopted.

February 20, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 258, respectfully report as follows: That Senate Bill No. 258 be concurred in.

FALKENSTERN, Chairman

Report adopted.

February 20, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 252, respectfully report as follows: That Senate Bill No. 252 be concurred in.

Report adopted.

FALKENSTERN, Chairman

February 20, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be not concurred in.

Report adopted.

LUNDGREN, Chairman

February 20, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 297, respectfully report as follows: That Senate Bill No. 297 be not concurred in.

Report adopted.

WARFIELD, Chairman

February 20, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 225, respectfully report as follows: That Senate Bill No. 225 be amended on page 2, line 9 through and including line 11, by deleting the material therein in its entirety.

And, as amended, be concurred in.

Report adopted.

WARFIELD, Chairman

February 16, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 150, respectfully report as follows: That Senate Bill No. 150 be not concurred in.

Report adopted.

SCOTT, Chairman

February 20, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 319, respectfully report as follows: That Senate Bill No. 319 be not concurred in.

Report adopted.

SCOTT, Chairman

February 20, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 242, respectfully report as follows: That Senate Bill No. 242 be amended

Scott moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended on page 2, section 1, subsection (2), line 15 of the bill approved by Committee on Judiciary after the word "warden" by inserting the material "and approval of a person sentenced to the state prison, or application of a person sentenced to the state prison and approval of the warden", and

Further amended on page 2, section 1, subsection (2), line 16 after the

word "institutions" by striking the material "[an inmate of]" and inserting in lieu thereof the material "such person sentenced to"

And, as so amended, be concurred in.

SCOTT, Chairman

Report adopted.

February 20, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 95, respectfully report as follows: That Senate Bill No. 95 be not concurred in.

SCOTT, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 144, respectfully report as follows: That Senate Bill No. 144 be amended

Smith moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, line 12, in the title of the original bill, after the word "Passeriformes" by striking the following material: "[blackbirds and]", and

Be further amended on page 2, Section 1, subsection (a) line 6, after the word "owls" by striking the word "[blackbirds,]", and

Be further amended on page 3, Section 2, line 15, after the word "[owls]" by striking the following material: "[blackbirds,]", and

Be further amended on page 4, Section 3, subsection (6), line 14, after the word "of" by striking the following material "[fifteen (15) years]" and inserting in lieu thereof the following material: "twelve (12) years", and

Be further amended on page 4, Section 3, subsection (8), line 25, after the word "than" by striking the word "[two]", and inserting in lieu thereof the following word "three", and

Be further amended on page 5, Section 3, subsection (10), line 10, after the word "to" by inserting the following word "intentionally", and

Be further amended on page 5, Section 3, subsection (11), line 12, after the word "loosed" by inserting the following word "intentionally", and

Be further amended on page 5, Section 3, subsection (11), line 13 after the word "birds." through line 15 that the material contained therein be stricken in its entirety and the following material inserted in lieu thereof: "Game bird limits and all seasons and other regulations relating to such game birds must be obeyed.", and

Be further amended on page 5, Section 3, subsection (14), line 26, after the word "Falconry" that the following material be inserted "license or", and

Be further amended on page 5, Section 3, subsection (14), line 27, after the word "for", the following word be inserted "due" ,and

Be further amended on page 5, Section 3, subsection (15), line 30, after the word "any" by inserting the following word "Montana"

And, as so amended, be concurred in.

(Material in brackets denotes canceled type.)

ED. SMITH, Chairman

Report adopted.

February 19, 1971

Mr. Speaker: We, the majority of your Committee on Business and Industry, having had under consideration Senate Bill No. 217, respectfully report as follows: That Senate Bill No. 217 be not concurred in.

WORDEN
McGRATH
OLSON
PATRICK
SELSTAD
SPILDE
NELSTEAD

February 19, 1971

Mr. Speaker: We, the minority of your Committee on Business and Industry, having had under consideration Senate Bill No. 217, respectfully report as follows: That Senate Bill No. 217 be concurred in.

MEHRENS
JACKSON
GERKE
LAAS
EGGEBRECHT

Worden moved for adoption of the majority committee report.

As a substitute motion, Mehrens moved for adoption of the minority committee report and requested a roll call vote, with the Ayes and Nays Spread on the Journal. Sufficient seconds arose.

Haines moved the previous question.

The motion to adopt the minority report carried by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Brand, Christiansen, Clemow, Cox, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Lombardi, Lund, Lynch, McKittrick, Merhens, Menahan, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Snortland, Staigmilller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 52.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lundgren, McGrath, McNamer, Marbut, Marks, T. Murphy, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, Spilde, Sverdsten, Swan, Whitney, Wolf, Worden. Total 46.

Absent or not voting: Bradley, J. Murphy, Nichols, Shelden, E. Smith. Total 5.

Excused: Giesick. Total 1.

Paired: Christiansen, aye; Fagg, no; Healy, aye; Fitzgarrald, no.

February 20, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 294, respectfully report as follows: That Senate Bill No. 294 be amended

Scott moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, section 1, lines 25 through 29 of the bill ap-

proved by the Committee of the Whole after the material "furnished." by striking the material "[Every contractor, subcontractor, architect, builder or other person having charge or control of the construction, alteration or repair of any building or other improvement shall be considered the agent of the owner for the purpose of section 3 of this act.]" and

Further amended on page 2, section 2, subsection (3) on lines 28 through 30 by striking the material "[(3) Any one of the following acts or events is equivalent to "completion of the work or improvement" for the purpose of filing the notice of completion.]" and inserting in lieu thereof the new material "(3) The following acts or events constitute "completion of any work or improvement" for the purpose of filing a notice of completion:", and

Further amended on page 3, section 3, subsection (1) on lines 9 through 14 inclusive by striking all of the material "[Section 3. Notice of completion. (1) The owner may file a notice of completion as follows: (a) At any time after the completion of any work or improvement; or (b) At any time after there has been a cessation from labor thereon from a period of thirty (30) days.]" and inserting in lieu thereof the material "Section 3. Notice of completion. (1) The owner may file a notice of completion at any time after the completion of any work or improvement."

And, as amended, be concurred in.

(Material in brackets denotes cancelled type.)

SCOTT, Chairman

Report adopted.

February 20, 1971

Mr. Speaker: We, your Committee on Executive Reorganization, having had under consideration Senate Bill No. 274, respectfully report as follows: That Senate Bill No. 274 be amended

Mather moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Amend Section 1, page 105, line 23 of the Senate bill by inserting after the word "governor" and before the word "for" the following material: "in the manner set forth in Section 82A-106 of this act, except that the director shall serve"

And further amend Section 1, page 105, line 24 of the Senate bill by omitting the period and the word "The" after the word "term", and inserting in lieu thereof the material: ", and the"

And further amend Section 1, page 105, line 30 and page 106, line 1 of the Senate bill by omitting the material: "director as defined in Section 82A-103 (7), and section 82A-106 does not apply.", and inserting in lieu thereof the following material: "department head for purposes of section 82A-107 of this act."

Amend Section 1, page 12, line 7 of the Senate bill by omitting the word "shall" and inserting in lieu thereof the word "may"

And further amend Section 1, page 12, line 9 of the Senate bill by inserting after the word "paid" the following material: "in an amount to be determined by the department head, not to exceed"

Amend Section 1, page 33, line 23 of the Senate bill by omitting in its entirety the material after the word and punctuation "Department."

And further amend Section 1, page 33, lines 24 through 30, and page 34, lines 1 through 16 of the Senate bill by omitting the material contained therein in its entirety.

And further amend Section 1, page 34, line 17 of the Senate bill by renumbering "(4)" as "(1)"

And further amend Section 1, page 34, line 25 of the Senate bill by renumbering "(5)" as "(2)"

And further amend Section 1, page 35, line 1 of the Senate bill by renumbering "(6)" as "(3)"

And further amend Section 1, page 106, line 19 of the Senate bill by omitting the quotation marks after the word and punctuation "state."

And further amend Section 1, page 106,, line 19 of the Senate bill by inserting beginning on the next line the following new material:

"82A-2103. STATE BOARD OF HAIL INSURANCE—CONTINUED; TRANSFER. (1) The state board of hail insurance, created in title 82, chapter 15, R.C.M. 1947, and its functions are continued.

(2) The board is transferred to the office of the state auditor for administrative purposes only as prescribed in section 82A-108 of this act. For purposes of this subsection and section 82A-108, the state auditor and the office of the state auditor shall be considered to be a department head and a department, respectively.

(3) Members of the board before the effective date of this chapter serve for the remainder of their terms. The composition, method of appointment, terms of office, compensation, reimbursement, and qualifications of board members remain as prescribed by law."

Amend Section 1, page 58, lines 13 through 24 of the Senate bill by omitting the material contained therein in its entirety

And further amend Section 1, page 58, line 25 of the Senate bill by renumbering "(5)" as "(3)"

And further amend Section 1, page 62, line 18 of the Senate bill by inserting beginning on the next line the following new material:

"82A-906. MONTANA ARTS COUNCIL—CONTINUED; TRANSFER. (1) The Montana arts council, created in title 82, chapter 36, R.C.M. 1947, and its functions are continued.

(2) The council is transferred to the department for administrative purposes only as prescribed in section 82A-108 of this act.

(3) Members of the council before the effective date of this chapter serve for the remainder of their terms. The composition, method of appointment, terms of office, compensation, reimbursement, and qualifications of board members remain as prescribed by law.

82A-907. STATE LIBRARY COMMISSION—CONTINUED; TRANSFER. (1) The state library commission, created in title 44, chapter 1, R.C.M. 1947, and its functions are continued.

(2) The commission is transferred to the department for administrative purposes only as prescribed in section 82A-108 of this act.

(3) Members of the commission before the effective date of this chapter serve for the remainder of their terms. The composition, method of appointment, terms of office, compensation, reimbursement, and qualifications of commission members remain as prescribed by law."

And further amend Section 1, page 62, line 19 of the Senate bill by renumbering "906" as "908"

And further amend Section 1, page 56, line 15 of the Senate bill by omitting the word and punctuation "composition;"; by omitting the period

after the word "functions" and inserting in lieu thereof a semicolon and the word and punctuation "designation."

And further amend Section 1, page 56, lines 20 through 28 of the Senate bill by omitting the material contained therein in its entirety.

And further amend Section 1, page 56, line 29 of the Senate bill by renumbering "(5)" as "(3)"

And further amend Section 1, page 57, line 1 of the Senate bill by renumbering "(6)" as "(4)"

And further amend Section 1, page 57, lines 8 and 9 of the Senate bill by omitting the material contained therein in its entirety, and inserting in lieu thereof the following material: "(5) The board is designated as a quasi-judicial board for purposes of section 82A-112 of this act."

Amend Section 1, page 41, line 13 through and including page 50, line 28 of the Senate bill, by omitting the material therein in its entirety and inserting in lieu thereof the following material:

"82A-601. DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES—CREATION; HEAD. There is created a department of health and environmental sciences. The department head is the director of health and environmental sciences provided for in section 82A-608 of this chapter.

82A-602. AGENCIES ABOLISHED; FUNCTIONS TRANSFERRED TO DEPARTMENT. (1) The state department of health, created in title 69, chapter 41, R.C.M. 1947, and its units are abolished, and their functions, except those enumerated below, are transferred to the department of health and environmental sciences:

(a) The functions contained in the Montana Insecticide, Fungicide, and Rodenticide Act of 1947, title 27, chapter 2, R.C.M. 1947, transferred to the department of agriculture in chapter 3 of this act.

(b) The function in section 69-4203 (5), R.C.M. 1947, (pertaining to enforcing the industrial hygiene laws), transferred to the department of labor and industry in chapter 10 of this act. The department of health and environmental sciences shall notify the department of labor and industry of any alleged violation of the industrial hygiene laws or rules established thereunder. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the department of health or its units, except those enumerated below, means the department of health and environmental sciences:

(a) The references contained in title 27, chapter 2, R.C.M. 1947.

(b) The references contained in title 69, chapter 42, R.C.M. 1947, relating to the enforcement functions transferred to the department of labor and industry in chapter 10 of this act.

(2) The sanitarians registration council, created in title 69, chapter 34, R.C.M. 1947, is abolished, and its functions are transferred to the department. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the sanitarians registration council means the department of health and environmental sciences.

(3) The Montana commission on alcohol and drug dependence, created in title 69, chapter 62, R.C.M. 1947, is abolished, and its functions are transferred to the department. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the Montana commission on alcohol and drug dependence means the department of health and environmental sciences.

82A-603. ADDITIONAL FUNCTIONS TRANSFERRED TO DEPARTMENT. (1) The functions of the state water pollution control

council, which is created in title 69, chapter 48, R.C.M. 1947, are transferred to the department. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the state water pollution control council means the department of health and environmental sciences.

(2) The functions of the state board of health, which is provided for in title 69, chapter 41, R.C.M. 1947, except the functions enumerated below, are transferred to the department:

(a) The functions contained in the Montana Insecticide, Fungicide, and Rodenticide Act of 1947, title 27, chapter 2, R.C.M. 1947, transferred to the department of agriculture in chapter 3 of this act.

(b) The functions contained in title 50, chapter 11, R.C.M. 1947 (pertaining to dredge mining regulation), transferred to the department of natural resources and conservation in chapter 15 of this act.

(c) The functions contained in title 41, chapter 22, R.C.M. 1947 (pertaining to nurses' employment practices), transferred to the department of labor and industry in chapter 10 of this act.

Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the state board of health, except those enumerated below, means the department of health and environmental sciences:

(a) The references contained in title 27, chapter 2, R.C.M. 1947.

(b) The references contained in title 50, chapter 11, R.C.M. 1947.

(c) The references contained in title 41, chapter 22, R.C.M., 1947.

82A-604. DIVISION OF ENVIRONMENTAL SCIENCES—CREATION. There is created a division of environmental sciences within the department. The board of health and environmental sciences shall assign all functions performed by the department relating to air pollution control, water pollution control, radiation control, pesticides control, environmental sanitation, solid waste disposal, industrial hygiene, and related areas to the division.

82A-605. STATE BOARD OF HEALTH—CONTINUED; RENAMED; DESIGNATION. (1) The state board of health provided for in title 69, chapter 41, R.C.M. 1947, is continued and renamed the board of health and environmental sciences.

(2) The board is designated as a quasi-judicial board for purposes of section 82A-112 of this act.

82A-606. AIR POLLUTION CONTROL ADVISORY COUNCIL—CONTINUED; MEMBERSHIP; FUNCTIONS. (1) The air pollution control advisory council, created in title 69, chapter 39, R.C.M. 1947, is continued.

(2) Council membership remains as prescribed in section 69-3908, R.C.M. 1947, except that the executive officer of the state board of health is replaced by the director of the department of health and environmental sciences.

(3) After the effective date of this chapter, appointed council members serve at the pleasure of the governor.

(4) The council shall act in an advisory capacity to the department of health and environmental sciences on matters relating to air pollution.

(5) Subsections (5) through (8) of section 82A-110 of this act apply to the council and members.

82A-607. STATE WATER POLLUTION CONTROL COUNCIL—CONTINUED; RENAMED WATER POLLUTION CONTROL ADVISORY

COUNCIL. (1) The state water pollution control council, created in title 69, chapter 48, R.C.M. 1947, is continued and renamed the water pollution control advisory council. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the state water pollution control council means the water pollution control advisory council.

(2) Council membership remains as prescribed in section 69-4810, R.C.M. 1947, except that the executive officer of the state department of health, the state fish and game department director, and the director of the water resources board are replaced by the director of the department of health and environmental sciences, the director of the fish and game department, and the administrator of the water resources division of the department of natural resources and conservation, respectively.

(3) After the effective date of this chapter, appointed council members serve at the pleasure of the governor.

(4) The council shall only act in an advisory capacity to the department of health and environmental sciences on matters relating to water pollution.

(5) Subsections (5) through (8) of section 82A-110 of this act shall apply to the council and members.

82A-608. DIRECTOR OF HEALTH AND ENVIRONMENTAL SCIENCES—CREATION; QUALIFICATIONS. (1) There is created the position of director of health and environmental sciences. The director shall be appointed by the governor in the manner set forth in section 82A-106 of this act for directors who are department heads, and in addition shall:

(a) Have a degree of doctor of medicine.

(b) Have successfully completed at least one (1) year of graduate study in an approved school of public health.

(c) Have had at least two (2) years' experience as a full-time public health officer.

(d) Be eligible for a license by the board of medical examiners.

(e) Receive a license from the board of medical examiners not later than six (6) months after his appointment.

(2) Section 82A-107 of this act applies to the director as a department head, subject to the concurrence of the board of health and environmental sciences. The director is the chief administrative officer of the department, and he shall in addition perform those functions that are delegated to him by the board of health and environmental sciences.

82A-609. ADDITIONAL AGENCIES ABOLISHED. The following agencies are abolished:

(1) The venereal disease and immunization advisory committee, administratively created.

(2) The laboratory advisory committee, administratively created.

(3) The migrant health advisory committee, administratively created.

(4) The hearing conservation advisory committee, administratively created.

(5) The family planning advisory committee, administratively created.

(6) The joint staff committee, administratively created.

(7) The interdepartmental council on mental retardation, administratively created.

(8) The radiation advisory committee, provided for in section 69-5805, R.C.M. 1947.

(9) The hospital and long term care facilities advisory council, provided for in section 69-5214, R.C.M. 1947."

And further amend Section 1, page 15, lines 20 and 21 of the Senate bill by omitting the words and numerals "fifty dollars (\$50)" and inserting in lieu thereof the words and numerals "twenty-five dollars (\$25)"

And further amend Section 1, page 40, lines 13 through 16 of the Senate bill by omitting in its entirety the material after the word and punctuation "continued."

Amend Section 1, page 51, lines 2 and 3 of the Senate bill by omitting in its entirety the material after the word "is" and inserting in lieu thereof the following material: "the director of highways provided for in section 82A-707 of this chapter."

And further amend Section 1, page 51, lines 12 through 23 of the Senate bill by omitting the material contained therein in its entirety.

And further amend Section 1, page 51, line 24 of the Senate bill by renumbering "(3)" as "(2)"

And further amend Section 1, page 52, line 1 of the Senate bill by renumbering "(4)" as "(3)"

And further amend Section 1, page 52, line 7 of the Senate bill by renumbering "(5)" as "(4)"

And further amend Section 1, page 52, lines 18 through 29 of the Senate bill by omitting the material contained therein in its entirety, and inserting in lieu thereof the following material:

"82A-703. FUNCTIONS OF HIGHWAY COMMISSION TRANSFERRED TO DEPARTMENT. The functions of the highway commission, which is provided for in title 32, chapter 24, R.C.M. 1947, except its functions acting as the Montana highway patrol board, contained in title 31, chapter 1, R.C.M. 1947, transferred to the department of law enforcement and public safety or the attorney general in chapter 12 of this act, are transferred to the department. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the commission acting as the Montana highway patrol board, means the department of highways created in this chapter."

And further amend Section 1, page 53, line 25 of the Senate bill by inserting beginning on the next line the following new material:

"82A-706. HIGHWAY COMMISSION — CONTINUED; DESIGNATION. (1) The highway commission, provided for in title 32, chapter 24, R.C.M. 1947, is continued.

(2) The commission is designated as a quasi-judicial board for purposes of section 82A-112 of this act.

"82A-707. DIRECTOR OF HIGHWAYS—CREATION. There is created the position of director of highways. The director shall be appointed by the governor in the manner set forth in section 82A-106 of this act for directors who are department heads. Section 82A-107 of this act applies to the director as a department, subject to the concurrence of the highway commission. The director is the chief administrative officer of the department, and in addition he shall perform those functions that are delegated to him by the commission."

And further amend Section 1, page 53, line 26 of the Senate bill by renumbering "706" as "708"

Amend Section 1, page 77, line 15 through and including page 84, line 27 of the Senate bill, by omitting the material therein in its entirety and inserting in lieu thereof the following material:

"82A-1501. DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION—CREATION; HEAD. There is created a department of natural resources and conservation. The department head is the director of natural resources and conservation provided for in section 82A-1508 of this chapter.

82A-1502. AGENCIES ABOLISHED; FUNCTIONS TRANSFERRED TO DEPARTMENT. (1) The state soil conservation committee, created in title 76, chapter 1, R.C.M. 1947, is abolished, and its functions are transferred to the department. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the state soil conservation committee means the department of natural resources and conservation.

(2) The Montana grass conservation commission, created in title 46, chapter 23, R.C.M. 1947, is abolished, and its functions are transferred to the department. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the Montana grass conservation commission means the department of natural resources and conservation.

82A-1503. ADDITIONAL FUNCTIONS TRANSFERRED TO DEPARTMENT. (1) The functions of the state board of health, which are contained in title 50, chapter 11, R.C.M. 1947 (pertaining to dredge mining regulation), are transferred to the department. Unless inconsistent with this act, any reference in title 50, chapter 11, R.C.M. 1947, to the state boards of health means the department of natural resources and conservation.

(2) The functions of the Montana bureau of mines and geology, which are contained in title 50, chapter 10, R.C.M. 1947 (pertaining to strip coal mining regulation), are transferred to the department. Unless inconsistent with this act, any reference in title 50, chapter 10, R.C.M. 1947, to the Montana bureau of mines and geology means the department of natural resources and conservation.

82A-1504. DIVISIONS OF WATER RESOURCES AND FORESTRY—CREATION. (1) The following divisions of the department are created:

(a) Division of water resources.

(b) Division of forestry.

(2) Each division shall be headed by an administrator. The administrator of the division of forestry shall be technically trained and experienced in forestry and a graduate of an accredited forestry school.

82A-1505. AGENCIES ABOLISHED; FUNCTIONS TRANSFERRED TO DIVISIONS. (1) The Montana water resources board and its units, created in title 89, chapter 1, R.C.M. 1947, are abolished, and their functions are transferred to the division of water resources. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the Montana water resources board or its units means the division of water resources of the department of natural resources and conservation.

(2) The Montana state board of forestry, and its units, created in title 28, chapter 1, R.C.M. 1947, are abolished, and their functions are transferred to the division of forestry. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the Montana state board of forestry means the division of forestry of the department of natural resources and conservation.

(3) The position of state forester, provided for in title 81, chapter 14, R.C.M. 1947, is abolished, and the functions of the position are transferred to the division of forestry. However, as prescribed in article XI, section 4 of the Montana constitution and in section 81-103, R.C.M. 1947, the state board of land commissioners continues to retain the direction, control, leasing and sale of the state school lands and the land granted for the support and benefit of the various educational institutions and state lands; any functions performed by the division of forestry relating to these lands are subject to the direction and control of the state board of land commissioners. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the position of state forester means the division of forestry within the department of natural resources and conservation.

82A-1506. OIL AND GAS CONSERVATION COMMISSION—CONTINUED; RENAMED BOARD OF OIL AND GAS; TRANSFER; DESIGNATION. (1) The oil and gas conservation commission of the State of Montana, created in title 60, chapter 1, R.C.M. 1947, and its functions are continued, and the commission is renamed the board of oil and gas conservation. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the oil and gas conservation commission of the State of Montana means the board of oil and gas conservation.

(2) The board is transferred to the department for administrative purposes only as prescribed in section 82A-108 of this act. However, the board may hire its own personnel, and section 82A-108 (2) (d) of this act does not apply.

(3) The board is designated as a quasi-judicial board for purposes of section 82A-112 of this act.

82A-1507. BOARD OF NATURAL RESOURCES AND CONSERVATION—CREATION; COMPOSITION; DESIGNATION. (1) There is created a board of natural resources and conservation.

(2) The board is composed of five (5) members, appointed by the governor as prescribed in section 82A-112 of this act, informed and experienced in the subjects of natural resources and conservation. One member shall be appointed from each of the five (5) districts prescribed in section 26-102 (1), R.C.M. 1947.

(3) The board is designated as a quasi-judicial board for purposes of section 82A-112 of this act.

82A-1508. DIRECTOR OF NATURAL RESOURCES AND CONSERVATION—CREATION. There is created the position of director of natural resources and conservation. The director shall be appointed by the governor in the manner set forth in section 82A-106 of this act for directors who are department heads. Section 82A-107 of this act applies to the director as a department head, subject to the concurrence of the board of natural resources and conservation. The director is the chief administrative officer of the department, and in addition he shall perform those functions that are delegated to him by the board of natural resources and conservation.

82A-1509. ADDITIONAL AGENCIES ABOLISHED. The following agencies are abolished:

(1) The council on natural resources and development, created in section 82-3001, R.C.M. 1947.

(2) The outdoor recreation advisory and planning committee, created in section 62-404, R.C.M. 1947.

(3) The weather modification advisory committee, provided for in section 89-312, R.C.M. 1947."

Amend Section 1, page 21, line 20 of the Senate bill by renumbering "210" as "211"

And further amend Section 1, page 21, line 25 of the Senate bill by renumbering "210" as "211"

And further amend Section 1, page 22, line 13 of the Senate bill by renumbering "206" as "207"

And further amend Section 1, page 22, line 20 of the Senate bill by inserting beginning on the next line the following new material:

"82A-204. BOARD OF INVESTMENTS—CREATION; ALLOCATION; COMPOSITION; DESIGNATION. (1) There is created a board of investments.

(2) The board is allocated to the department for administrative purposes only as prescribed in section 82A-108 of this act. Personnel for the board shall be appointed by the department subject to the approval of the board.

(3) The board is composed of five (5) members, appointed by the governor as prescribed in section 82A-112 of this act, informed and experienced in the subject of investments.

(4) The board of investments has the sole authority to exercise the investment functions transferred to it under section 82A-205 of this chapter. No other agency may invest state funds. All laws governing the exercise of the investment functions remain in effect, and the board shall direct the investment of state funds in accordance with those laws and the constitution of this state. The board has the power to veto any investments made under its general supervision.

(5) The board is designated as a quasi-judicial board for the purposes of section 82A-112 of this act."

And further amend Section 1, page 22, line 21 of the Senate bill by omitting the punctuation and numeral "(3)" and inserting in lieu thereof the following material:

"82A-205. INVESTMENT FUNCTIONS TRANSFERRED TO BOARD OF INVESTMENTS. (1)"

And further amend Section 1, page 22, lines 24 and 25 of the Senate bill by omitting the words "department of administration" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 23, line 19 of the Senate bill by omitting the first word "department" in that line and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 23, lines 19 and 20 of the Senate bill by omitting the words "department of administration" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 23, line 21 of the Senate bill by renumbering "(4)" as "(2)"

And further amend Section 1, page 23, line 25 of the Senate bill by omitting the word "department" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 23, line 29 of the Senate bill by omitting the first word "department" in that line and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 23, line 29 of the Senate bill by omitting the words "department of administration" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 24, line 1 of the Senate bill by renumbering "(5)" as "(3)"

And further amend Section 1, page 24, line 4 of the Senate bill by omitting the word "department" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 24, line 7 of the Senate bill by omitting the first word "department" in that line and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 24, lines 7 and 8 of the Senate bill by omitting the words "department of administration" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 24, line 9 of the Senate bill by renumbering "(6)" as "(4)"

And further amend Section 1, page 24, line 17 of the Senate bill by omitting the word "department" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 24, line 21 of the Senate bill by omitting the first word "department" in that line and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 24, line 21 of the Senate bill by omitting the words "department of administration" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 24, line 23 of the Senate bill by renumbering "(7)" as "(5)"

And further amend Section 1, page 24, line 27 of the Senate bill by omitting the word "department" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 25, line 1 of the Senate bill by omitting the word "department" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 25, line 2 of the Senate bill by omitting the words "department of administration" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 25, lines 3 through 8 of the Senate bill by omitting the material contained therein in its entirety.

And further amend Section 1, page 25, line 9 of the Senate bill by renumbering "205" as "206"

And further amend Section 1, page 25, line 30 of the Senate bill by renumbering "206" as "207"

And further amend Section 1, page 26, line 17 of the Senate bill by renumbering "207" as "208"

And further amend Section 1, page 26, line 24 of the Senate bill by renumbering "208" as "209"

And further amend Section 1, page 27, line 3 of the Senate bill by omitting the word "department" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 27, line 3 of the Senate bill by renumbering "203" as "205"

And further amend Section 1, page 27, line 5 of the Senate bill by renumbering "209" as "210"

And further amend Section 1, page 27, line 14 of the Senate bill by omitting the word "department" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 27, line 14 of the Senate bill by renumbering "203" as "205"

And further amend Section 1, page 27, line 15 of the Senate bill by omitting the punctuation and numeral "(6)"

And further amend Section 1, page 27, line 16 of the Senate bill by renumbering "210" as "211"

And further amend Section 1, page 27, line 26 of the Senate bill by renumbering "211" as "212"

And further amend Section 1, page 28, line 5 of the Senate bill by omitting the word "department" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 28, line 5 of the Senate bill by renumbering "203" as "205"

And further amend Section 1, page 28, line 7 of the Senate bill by renumbering "212" as "213"

And further amend Section 1, page 64, line 29 of the Senate bill by omitting the words "department of administration" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 65, line 7 of the Senate bill by omitting the words "department of administration" and inserting in lieu thereof the words "board of investments"

And further amend Section 1, page 68, line 21 of the Senate bill by omitting the words "department of administration" and inserting in lieu thereof the words "board of investments"

Amend Section 1, page 103, line 15 of the Senate bill by inserting after the word and punctuation "board." the following material: "The director does not have a term on the board as a board member, but shall serve at the pleasure of the governor."

And further amend Section 1, page 103, line 18 of the Senate bill by inserting after the word and punctuation "act." the following new material: "for purposes of that section, a majority shall be considered as one (1)."

And further amend Section 1, page 13, line 30 of the Senate bill by omitting the words "by order"

And further amend Section 1, page 14, line 1 of the Senate bill by omitting the words "of the governor"

And, as amended, be concurred in.

MATHER, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 19, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol
Helena, Montana

Dear Sir:

In accordance with the request dated this day from the Chief Clerk

of the House of Representatives, I am herewith returning House Bills Nos. 29 and 30 for your consideration.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

February 19, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, acceded to the request of the House for the appointment of a Conference Committee to consider Senate Amendments to House Bill No. 457, and the President appointed: Senator Bertsche, Chairman; Senator DeWolfe, Senator Carl.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 19, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate bill No. 220 and requests the House to appoint a free conference committee to confer with a like committee of the Senate for the consideration of said amendments. The President appointed the following Senators:

Senator Thiessen, Chairman; Senator Lynch, Senator Turnage.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 19, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Committee of the Whole recommended that House Bill No. 58, introduced by East, Lee, Lombardi and Glennen be indefinitely postponed, report adopted, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 19, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills came out of their respective Committees with the recommendation that the bills be not concurred in, report adopted, the bills are herewith returned to the House.

House Bill No. 162, introduced by Asbjornson, Olson and Kosena.

House Bill No. 433, introduced by Haines.

House Bill No. 207, introduced by Baeth, et al.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House bills, title and history agreed to, and the bills are herewith returned to the House.

- House Bill No. 489, introduced by Healy, et al
- House Bill No. 309, introduced by Marbut, et al
- House Bill No. 450, introduced by Marbut, et al
- House Bill No. 308, introduced by Marbut, et al
- House Bill No. 272, introduced by Warfield and Christiansen
- House Bill No. 394, introduced by Keller and Nichols
- House Bill No. 395, introduced by Keller and Nichols
- House Bill No. 396, introduced by Keller and Nichols
- House Bill No. 520, introduced by Warfield (Concurred in as amended)
- House Bill No. 596, introduced by Robbins, Cox, J. Murphy
- House Bill No. 163, introduced by Schoonover, Knudsen
- House Bill No. 296, introduced by Jackson, et al
- House Bill No. 570, introduced by Cox, et al
- House Bill No. 57, introduced by East, et al
- House Bill No. 86, introduced by East, McKittrick, Hodges
- House Bill No. 210, introduced by Lucas, et al
- House Bill No. 211, introduced by East, et al
- House Bill No. 505, introduced by Lucas, et al
- House Bill No. 399, introduced by Keller, Nichols (Concurred in as amended)
- House Bill No. 324, introduced by Bardanouve, Nichols
- House Bill No. 194, introduced by Kosena, Lund, Selstad
- House Bill No. 67, introduced by Keller, Zody, Brown
- House Bill No. 97, introduced by Falkenstern, et al
- House Bill No. 71, introduced by Burnett, Johnston
- House Bill No. 553, introduced by Fasbender, Gunderson

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 568, introduced by Bennett and Forester, was read third time and concurred in, as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 303, introduced by Bardanouve, was read third time and concurred in, as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 475, introduced by Cox (by request), was read third time and concurred in, as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 315, introduced by East (by request), was read third time and concurred in, as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 60, introduced by East, Sverdsten, and Wolf, was read third time and concurred in, as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills came out of their respective Committees with the recommendation that the bills be not concurred in, report adopted, the bills are herewith returned to the House.

House Bill No. 12, introduced by Mather, et al

House Bill No. 62, introduced by Selstad

House Bill No. 64, introduced by Keller, Zody and Brown

House Bill No. 232, introduced by Haines and Nichols.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Prevost, having voted on the prevailing side, moved that the House reconsider its action on the Forty-Seventh Legislative Day in adopting an adverse committee report on Senate Bill No. 34 and place it on Second Reading.

Knudsen requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion carried by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lombardi, Lynch, McKittrick, McNamer, Mehrens, Menahan, T. Murphy, Nichols, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Shelden, Snortland, Staigmilller, Swan, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 61.

Noes: Aber, Asbjornson, Bennett, Burnett, Campbell, Falkenstern, Forester, Hemstad, Keller, Lockrem, Lund, Marbut, Marks, Mather, J. Murphy, Olson, Parrish, Scott, Selstad, C. Smith, E. Smith, Spilde, Sverdsten, Swanberg, Towe, Ulmer, Whitney, Wolf, Worden. Total 29.

Absent or not voting: Ainsworth, Christiansen, Cox, Ellerd, Fagg, Jackson, Lockwood, Lundgren, McGrath, Norman, Perry, Warfield. Total 12.

Excused: Fitzgarrald, Giesick. Total 2.

McNamer, having voted on the prevailing side, moved that the House reconsider its action on the previous legislative day in adopting an adverse committee report on Senate Bill No. 149.

As a substitute motion, Haines moved to lay on the table the move to reconsider Senate Bill No. 149.

Scott requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion carried by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Burnett, Campbell, Clemow, Darrow, Dye, East, Ellerd, Falkenstern, Forester, Glennen, Haines, Harrison, Healy, Hemstad, Himsl, Keller, Knudsen, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Nelstead, Prevost, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 52.

Noes: Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Devine, Edland, Eggebrecht, Fagg, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Hodges, Johnston, Kendall, Kolstad, Kosena, Lee, Lien, Lynch, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Parrish, Perry, Quilici, Robbins, Schoonover, Scott, Staigmilller, Swanberg, Towe, Warfield, Watt, Yardley, Zimmer. Total 45.

Absent or not voting: Ainsworth, Cox, Jackson, Norman, Shelden. Total 5.

Excused: Fitzgarrald, Giesick. Total 2.

Paired: Dye, aye; Fagg, no.

McKittrick, having voted on the prevailing side on the Forty-Seventh Legislative Day, moved that the House reconsider its action in adopting an adverse committee report on Senate Bill No. 331 and that it be placed

on Second Reading. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Lee, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Norman, Parrish, Prevost, Quilici, Schoonover, Shelden, Staig-miller, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 44.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Falken-stern, Forester, Glennen, Haines, Hemstad, Himsl, Keller, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McGrath, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Nelstead, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 52.

Absent or not voting: Fagg, Harrison, Perry, Robbins, Scott, War-field. Total 6.

Excused: Fitzgarrald, Giesick. Total 2.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 604, introduced by Campbell, Dye: A bill for an act entitled: "An act appropriating moneys for a medical education program in cooperation with the States of Washington, Alaska, and Idaho." Referred to Committee on Appropriations.

House Bill No. 605, introduced by Giesick, Forester, Kolstad, Lynch, Quilici, Snortland, Lombardi: A bill for an act entitled: "An act appropriating moneys for fluoridation of the teeth of school children by the Department of Health." Referred to Committee on Appropriations.

House Resolution No. 14, introduced by Marks, T. Murphy: A Resolution of the House of Representatives of the State of Montana respectfully urging the Honorable Forrest H. Anderson, Governor, and the State Department of Planning and Economic Development to retain the Madison-Jefferson-Silver Bow Resource, Conservation and Development Group. Referred to Committee on Environment and Resources.

SPECIAL ORDERS OF THE DAY

Representative Mather explained Senate Bill No. 274 with the House amendments incorporated.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Selstad in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 274 be amended in Section 1, page 14, line 5 of

the Approved Senate Committee Bill No. 274 by inserting after the word and punctuation "state." the following new material: "the existence of any advisory council may be extended as many times as necessary."

And be further amended in Section 1, page 14, line 7 of the printed bill by inserting after the first word "an" and before the word "agency" the words "administratively created".

And be further amended on page 28 by adding to line 23, following the word "act", the following: "However, the board may hire its own personnel, and Section 82A-108 (2) (d) does not apply."

And further amend Senate Bill No. 274, Section 1, page 32, line 26 through and including page 33, line 24 of the printed bill by omitting the material therein in its entirety and insert[ing] in lieu thereof the following material:

"82A-304. MONTANA WHEAT RESEARCH AND MARKETING COMMITTEE—CONTINUED; TRANSFER. (1) The Montana wheat research and marketing committee, created in title 3, chapter 29, R.C.M. 1947, and its functions are continued.

(2) The committee is transferred to the department for administrative purposes only as prescribed in section 82A-108 of this act.

(3) Members of the committee before the effective date of this chapter serve for the remainder of their terms. The composition, method of appointment, terms of office, compensation, reimbursement, and qualifications of committee members remain as prescribed by law."

And further amend Section 1, Chapter 5 on page 40 after line 28 by inserting the following:

"82A-509. MONTANA ARTS COUNCIL—CONTINUED; TRANSFER. (1) The Montana arts council, created in title 82, chapter 36, R.C.M. 1947, and its functions are continued.

(2) The council is transferred to the department for administrative purposes only as prescribed in section 82A-108 of this act.

(3) Members of the council before the effective date of this chapter serve for the remainder of their terms. The composition, method of appointment, terms of office, compensation, reimbursement, and qualifications of board members remain as prescribed by law.

(4) The director of the council shall be appointed and may be removed by the council, subject to the approval of the board of education.

82A-510. STATE LIBRARY COMMISSION—CONTINUED; TRANSFER. (1) The state library commission, created in title 44, chapter 1, R.C.M. 1947, and its functions are continued.

(2) The commission is transferred to the department for administrative purposes only as prescribed in section 82A-108 of this act.

(3) Members of the commission before the effective date of this chapter serve for the remainder of their terms. The composition, method of appointment, terms of office, compensation, reimbursement, and qualifications of commission members remain as prescribed by law.

(4) The state librarian shall be appointed and may be removed by the commission, subject to the approval of the board of education."

And be further amended in line 29, page 40 by renumbering "82A-509" to read "82A-511".

And be further amended in Section 1, Chapter 9 by omitting all of Sections 82A-906 and 82A-907, being lines 5 to 26 inclusive on page 58.

And be further amended in line 27, page 58 by renumbering "82A-908" to read "82A-906".

Further amend Senate Bill No. 274, Section 1, page 73, line 29 of the printed bill after the word and punctuation "department." through and including page 74, line 5 by omitting the material therein in its entirety.

Further amend Section 1, page 74, line 6 of the printed bill by omitting the numeral and punctuation "(2)"

And further amend Section 1, page 74, line 28 of the printed bill by omitting the word "and" and inserting in lieu thereof the punctuation ","

And further amend Section 1, page 74, line 28 of the printed bill by inserting after the word "forestry" the material: "and conservation districts"

And further amend Section 1, page 75, of the printed bill by inserting the material "(c) Division of conservation districts." between lines 2 and 3 of the printed bill.

And further amend Section 1, page 76, of the printed bill by inserting the following material between lines 8 and 9:

"82A-1506. ADDITIONAL FUNCTIONS TRANSFERRED TO DIVISION. The functions of the state soil conservation committee, created in title 76, chapter 1, R.C.M. 1947, are transferred to the division of conservation districts. Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the state soil conservation committee means the division of conservation districts of the department of natural resources and conservation.

82A-1507. STATE SOIL CONSERVATION COMMITTEE—CONTINUED; MEMBERSHIP; FUNCTIONS. (1) The state soil conservation committee, created in title 76, chapter 1, R.C.M. 1947, is continued.

(2) Committee membership remains as prescribed in section 76-104, R.C.M. 1947.

(3) After the effective date of this chapter, appointed committee members serve at the pleasure of the governor.

(4) The committee shall act in an advisory capacity to the department on matters relating to soil conservation districts.

(5) Subsection (5) through (8) of section 82A-110 of this act applies to the committee and members."

And further amend Section 1, page 6, line 9 of the printed bill by omitting the numeral "1506" and inserting in lieu thereof the numerals "1508"

And further amend Section 1, page 76, line 25 of the printed bill by omitting the numerals "1507" and inserting in lieu thereof the numerals "1509"

And further amend Section 1, page 77, line 6 of the printed bill by omitting the numerals "1508" and inserting in lieu thereof the numerals "1510"

And further amend Section 1, page 77, line 18 of the printed bill by omitting the numerals "1509" and inserting in lieu thereof the numerals "1511"

And further amend Section 1, chapter 19, Section 82A-1905, page 95, line 24 of the printed bill by inserting after the word and punctuation "act." the following material: "However, the board may hire its own personnel, and Section 82A-108 (2) (d) of this act does not apply."

Further amend on page 90, line 12, by inserting a new sub-sub-section "(c)" "Section 69-3504—Boats", and re-lettering sub-sections (c) through (t)

And further amend on page 91 by adding a new sub-section "v"—Title 84, Chapter 54, Net Proceeds",

And further amend page 91 by adding a new sub-section "w"—Title 84, Chapter 62, Net Proceeds",

And further amend by renumbering sub-section "u" as "x"

And, as amended, be concurred in.

That Senate Bill No. 304 be concurred in.

That Senate Bill No. 194 be passed for the day.

That Senate Bill No. 196 be passed for the day.

That Senate Bill No. 206 be concurred in.

That Senate Bill No. 91 be concurred in.

That Senate Bill No. 195 be passed for the day.

That Senate Bill No. 329 be concurred in.

That Senate Joint Resolution No. 29 be concurred in.

That Senate Bill No. 202 be amended in the title, page 1 of the approved committee bill, line 11, following the word "physicians" by inserting the words "or licensed psychologists",

Amend Section 1, page 1, line 20, following the word "physician" by inserting the words "or psychologists",

Further amend Section 1, page 1, line 23, following the word "physician" by inserting the words "or psychologists",

Further amend Section 2, page 2, line 12, following the word "physician" by inserting the words "or licensed psychologist"

And, as amended, be passed for the day.

That Senate Bill No. 263 be amended, page 4, line 1, following the word "erected" by inserting the words "owned by", and, as amended, be concurred in.

That Senate Bill No. 113 be concurred in.

That Senate Bill No. 253 be concurred in.

That Senate Bill No. 249 be concurred in.

That Senate Bill No. 166 be concurred in.

That the Committee rise and report.

SELSTAD, Chairman

Report adopted.

February 20, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 10, 198, 167, 247, 285, 407, 473, House Joint Resolutions Nos. 13, 29, 41.

MARKS, Chairman

I have examined House Joint Resolution No. 41, introduced by me, and find the same to be correct.

JACKSON

I have examined House Bill No. 473, introduced by me, and find the same to be correct.

BARDANOUE

I have examined House Joint Resolution No. 29, introduced by me, and find the same to be correct.

FAGG

I have examined House Joint Resolution No. 13, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 247, introduced by me, and find the same to be correct.

LIEN

I have examined House Bill No. 198, introduced by me, and find the same to be correct.

MARKS

I have examined House Bill No. 167, introduced by me, and find the same to be correct.

BURNETT

I have examined House Bill No. 10, introduced by me, and find the same to be correct.

BARDANOUE

I have examined House Bill No. 407, introduced by me, and find the same to be correct.

CARL SMITH

I have examined House Bill No. 285, introduced by me, and find the same to be correct.

HALL

The Speaker signed the following bills in open session: House Bills Nos. 10, 198, 167, 247, 285, 407, 473, and House Joint Resolutions Nos. 13, 29, 41.

Harrison moved that the House adjourn until 10:00 a.m., February 21, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

FORTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 21, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Brand, Fitzgarrald, McNamer, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have exam-

ined the Journal for the Forty-Eighth Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

February 20, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 100, 120, 121, 178, 422, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 2:10 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

February 21, 1971

Mr. Speaker: We, your Committee on Legislative Modernization, having had under consideration Senate Joint Resolution No. 22, respectfully report as follows: That Senate Joint Resolution No. 22 be concurred in.

DARROW, Chairman

Report adopted.

February 20, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Bill No. 70, respectfully report as follows: That Senate Bill No. 70 be amended

Lundgren moved that the House suspend Rules and consider the amendments read at length. Motion carried.

Be amended in the title, page 1, line 11, following the figures "1947" by striking the period ".", and inserting a semi-colon and words "; and providing an effective date."

Amend in section 3, page 1, line 29, following the figure "3" by striking the words "The Montana water resources board" and insert in lieu thereof the following: "The state board of land commissioners".

Amend section 3, page 2, line 4, following the word and period "conducted." by striking the words "The Montana water resources board" and inserting in lieu thereof the following: "The state board of land commissioners".

Amend section 4, subsection (8), page 3, line 15, following the words "means the" by striking the words "Montana water resources board" and inserting in lieu thereof the words "state board of land commissioners".

Amend section 4, subsection (11), page 3, line 29, following the figure "(4)" by striking the words "department of state lands and investments" and inserting in lieu thereof the words "Montana water resources board".

Amend section 5, page 4, lines 7 to 12 inclusive, by striking all of section 5 in its entirety: "The commission is the administrator of this act and it has all the power necessary to implement and enforce it. The commission may delegate such powers, duties and functions to its director and staff members as it deems necessary for the performance of its duties as administrator of this act." and inserting in lieu thereof the following: "The commission is the administrator of this act and it has all the power necessary to implement and enforce it. The commission shall employ, with the advice and consent of the advisory committee, a person experienced and qualified in the field of mined land reclamation and may delegate to such person such powers, duties and functions under this act as it deems

necessary for the performance of its duties as administrator of this act. Such person shall be subject, however, to the supervision and control of the state land commissioner and the state board of land commissioners."

Amend section 6, subsection (4), page 5, line 6 and 7, following the word and comma "geology," by striking the words "state lands and investments" and inserting in lieu thereof the following words "Montana water resources board".

Amend section 6, subsection (5), page 5, lines 15 to 20 inclusive, by striking subsection (5) in its entirety: "To employ an experienced, qualified person in the field of mined land reclamation. Such person shall be selected and approved by majority vote of the commission, and shall be removed only for just cause by majority vote of the commission. This person shall assist the commission in its administration of this act."

Amend section 6, subsection (6) to strike the figure "(6)" and insert in lieu thereof the figure "(5)".

Amend section 6, subsection (7) to strike the figure "(7)" and insert in lieu thereof the figure "(6)".

Amend section 6, subsection (8) to strike the figure "(8)" and insert in lieu thereof the figure "(7)".

Amend section 7, page 6, line 6, by inserting the word "model" before the word "contract".

Amend section 15, page 11, lines 20 and 21, following the words "of the" by striking the words "reasonable value of" and inserting in lieu thereof the words "actual expenditure for".

Amend section 15, page 11, line 25, following the word "shall" by inserting the words "at least".

Amend section 15, lines 28 and 29, page 11, following the word and comma "lands," by striking "determine the reasonable value of" and inserting in lieu thereof the words "annually determine the actual expenditures for".

Amend section 15, page 12, line 1, following the word "annual" by striking the word "inspection" and inserting in lieu thereof the words "determination of such expenditure".

Amend section 15, page 12, line 3, following the word "operator" by striking the words "the reasonable value of" and inserting in lieu thereof the words "actual expenditures for".

And as amended, be concurred in.

LUNDGREN, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 20, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed the following measures: House Bills Nos. 32, 76, 122 and 161; and House Joint Resolutions Nos. 7 and 38.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Committee on Local Government recommended that House Bill No. 521 be not concurred in, report adopted, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House bills, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 310, introduced by Marbut, Zody, and Bardonouve

House Bill No. 398, introduced by Keller and Nichols

House Bill No. 392, introduced by East (by request)

House Bill No. 452, introduced by Towe and Brown

House Bill No. 250, introduced by Lynch, et al

House Bill No. 262, introduced by Nichols, et al

House Bill No. 566, introduced by Fleming, et al

House Bill No. 192, introduced by Sverdsten and Himsel

House Bill No. 275, introduced by Harrison

House Bill No. 370, introduced by Harrison, et al

House Bill No. 105, introduced by Harrison, et al

House Bill No. 448, introduced by Zimmer, et al

House Bill No. 59, introduced by Wolf

House Bill No. 188, introduced by Greely, Devine, and McKittrick

House Bill No. 155, introduced by Judiciary Committee

House Bill No. 154, introduced by Judiciary Committee

House Bill No. 153, introduced by Judiciary Committee

House Bill No. 152, introduced by Judiciary Committee

House Bill No. 151, introduced by Judiciary Committee

House Bill No. 150, introduced by Judiciary Committee

House Bill No. 191, introduced by Lockwood, Worden, and Laas

House Bill No. 306, introduced by Lockwood, Bardonouve, and Ellerd

House Bill No. 508, introduced by Brand, et al

House Bill No. 54, introduced by Mather and Devine

House Bill No. 555, introduced by E. Smith, et al

House Bill No. 347, introduced by Patrick, et al

House Bill No. 260, introduced by Knudsen

House Joint Resolution No. 14, introduced by Keller, et al

House Joint Resolution No. 46, introduced by Weeding, et al

House Joint Resolution No. 32, introduced by Jackson, et al

House Joint Resolution No. 2, introduced by Cox, et al

House Joint Resolution No. 34, introduced by Knudsen, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 20, 1971

Mr. Speaker:

In reference to our communication of February 19, 1971, this office was in error in asking that a Free Conference Committee be appointed to confer on House amendments to Senate Bill No. 220. This communication should have read a Conference Committee of three to confer with a like committee of the House for the consideration of said amendments.

The President appointed the following:

Senator Thiessen—Chairman

Senator Lynch

Senator Turnage

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 51 and authorized the President to appoint a conference committee of three to confer with a like committee of the House for the consideration of said amendments. The President appointed the following:

Senator Lynch, Chairman

Senator Boylan

Senator Hazelbaker

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in, as amended, the following House bills, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 106, introduced by Scott

House Bill No. 259, introduced by Whitney, et al

House Bill No. 497, introduced by Towe, Nelstead, and Norman

House Bill No. 11, introduced by Mather, et al

House Bill No. 61, introduced by Selstad

House Bill No. 201, introduced by Marbut, et al

House Bill No. 355, introduced by Burnett, et al

House Bill No. 190, introduced by Haines, et al

House Bill No. 66, introduced by Darrow, et al

House Bill No. 149, introduced by Robbins, et al

House Joint Resolution No. 6, introduced by Baeth, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend Rules and allow House Bills Nos. 29 and 30 to be considered on both Second and Third Reading on the same day. Motion carried.

Kvaalen moved that Senate Bill No. 200 be taken from Committee on Education and be referred to Committee on Livestock and Ranges.

Bardanouve moved the previous question. Motion carried.

The motion failed.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Committee arose. Lien in the Chair.

House resumed: Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 194 be passed to the bottom of the list.

That Senate Bill No. 195 be passed to the bottom of the list.

That Senate Bill No. 196 be passed to the bottom of the list.

That Senate Bill No. 202 be amended in the title, page 1 of the approved committee bill, line 11, following the word "physicians" by inserting the words "or licensed psychologists".

Amend section 1, page 1, line 20, following the word "physician" by inserting the words "or psychologists".

Amend section 1, page 1, line 23, following the word "physician" by inserting the words "or psychologist".

Amend section 2, page 2, line 12, following the word "physician" by inserting the words "or licensed psychologist",

Further amend on line 10, page 2 of the committee approved bill, by inserting at the end of the line a comma (,) instead of a period (.) and

inserting the following: "providing, however, that no parent shall be obligated for the cost of such counseling without his consent."

And as amended, be concurred in.

That Senate Amendments to House Bill No. 575 be concurred in.

That Senate Amendments to House Bill No. 4 be concurred in.

That Senate Amendments to House Bill No. 7 be concurred in.

That Senate Amendments to House Bill No. 19 be not concurred in.

That House Bill No. 286 do pass.

That House Bill No. 29 be amended, section 2, page 4, starting on line 2 through and including line 3 of the bill, by striking the material contained therein in its entirety and inserting in lieu thereof the following material:

"Section 2. The provisions of this act shall apply to all taxable years commencing on or after December 31, 1970, whether on a calendar or fiscal year basis.

Section 3. This act is effective on passage and approval."

And as amended, do pass.

That House Bill No. 30 be amended, sections 2 and 3, page 3, starting on line 7 through and including line 11 of the bill, by striking the material contained therein in its entirety and inserting in lieu thereof the following material:

"Section 2. The provisions of this act shall apply to all taxable years commencing on or after December 31, 1970, whether on a calendar or fiscal year basis.

Section 3. This act is effective on passage and approval."

And as amended, do pass.

That House Bill No. 419 do pass.

That Senate Joint Resolution No. 20 be concurred in.

That Senate Bill No. 204 be passed to the bottom of the board.

That Senate Bill No. 155 be not concurred in.

That Senate Bill No. 291 be not concurred in.

That Senate Bill No. 157 be concurred in.

That Senate Bill No. 28 be concurred in.

That Senate Joint Resolution No. 19 be concurred in.

That Senate Bill No. 173 be concurred in.

That Senate Bill No. 115 be concurred in.

That Senate Bill No. 110 be concurred in.

That Senate Bill No. 109 be concurred in.

That Senate Bill No. 111 be concurred in.

That the Committee rise and report and beg leave to sit again.

LIEN, Chairman

Lien moved for the adoption of the Committee of the Whole report.

As a substitute motion, Mather moved that Senate Bill No. 155 be segregated from the Committee of the Whole report. Motion carried.

Hall made a substitute motion that Senate Bill No. 291 be segregated from the Committee of the Whole report and that the report be adopted as amended. Motion carried.

February 20, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 8, 17, 43, 109, 196, 261.
BURNETT, Member

I have examined House Bill No. 109, introduced by me, and find the same to be correct.

HARPER

I have examined House Bill No. 43, introduced by me, and find the same to be correct.

KOSENSA

I have examined House Bill No. 261, introduced by me, and find the same to be correct.

SWANBERG

I have examined House Bill No. 196, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 8, introduced by me, and find the same to be correct.

WATT

I have examined House Bill No. 17, introduced by me, and find the same to be correct.

KELLER

The Speaker signed the following bills in open session: House Bills Nos. 8, 17, 43, 109, 196, 261.

Harrison moved that the House stand in recess until 3:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Lien in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 117 be amended on page 1, line 10 in the title of the bill, after the word "licensed" by adding the word "clinical", and

Further amend in section 1, line 24, page 1 of the bill, after the word "or" by adding the word "clinical", and

As amended, be not concurred in.

That Senate Bill No. 288 be moved to the bottom of the board.

That Senate Bill No. 164 be amended in section 12, page 11, lines 8 to 12 of the original bill, being section 12, page 13, lines 11 to 16 of the printed bill, by inserting on line 9 of the original bill and on line 13 of the printed bill, after the word "members" the word "thereof"; and again on line 11 of the original bill being line 16 of the printed bill by striking the Roman numerals "XXVI" and inserting in lieu thereof the Roman numerals "XVI".

And further amend on line 12, page 22 of the amended bill, after the word "all" by inserting the word "elected",

Further amend on page 41 of the amended bill, on line 28, before the word "be" by striking the word "not",

And be further amended on page 41 of the amended bill, on line 30 after the word "serve" by striking all the material therein on the line,

And be further amended on page 42 of the amended bill, line 1 before the word "subject" by striking the word "commission",

Be further amended by striking section 67 in its entirety.

And be further amended in section 3, page 3 of the approved committee bill beginning on line 17 by inserting a period (.) after the word "thereon" and striking the remaining material through to the word "herein" on line 24.

And further amend on line 22, page 2, by striking the first word in that line "venue",

And further amend section 30, page 27, line 19, by striking the words "Judicial district" and inserting in lieu thereof the word "county",

And as amended, be not concurred in.

That Senate Bill No. 23 be concurred in.

That Senate Joint Resolution No. 12 be concurred in.

That Senate Bill No. 45 be concurred in.

That Senate Joint Resolution No. 23 be concurred in.

That Senate Joint Resolution No. 16 be concurred in.

That Senate Joint Resolution No. 28 be concurred in.

That Senate Joint Resolution No. 4 be concurred in.

That Senate Bill No. 60 be concurred in.

That Senate Bill No. 61 be concurred in.

That Senate Bill No. 119 be concurred in.

That Senate Bill No. 189 be concurred in.

That Senate Bill No. 314 be concurred in.

That Senate Bill No. 222 be concurred in.

That Senate Bill No. 318 be concurred in.

That Senate Bill No. 296 be concurred in.

That Senate Bill No. 88 be concurred in.

That Senate Bill No. 179 be concurred in.

That Senate Bill No. 65 be not concurred in.

That Senate Amendments to House Bill No. 352 be concurred in.

That Senate Amendments to House Bill No. 9 be concurred in.

That Senate Amendments to House Bill No. 6 be concurred in.

That Senate Amendments to House Bill No. 518 be concurred in.

That Senate Amendments to House Bill No. 242 be concurred in.

That Senate Amendments to House Bill No. 572 be concurred in.

That Senate Amendments to House Bill No. 180 be concurred in.

That Senate Amendments to House Joint Resolution No. 1 be concurred in.

That House Bill No. 579 do not pass.

That the Committee rise and report.

GIESICK, Chairman

Giesick moved for adoption of the Committee of the Whole report.

As a substitute motion, Dye moved that Senate Bill No. 65 be segregated from the Committee of the Whole report. A roll call vote was requested, with the Ayes and Nays spread on the Journal. Sufficient Seconds arose.

The motion was carried by the following vote:

Ayes: Aber, Anderson, Asbjornson, Baeth, Bennett, Bradley, Brown, Clemow, Cox, Darrow, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fleming, Forester, Gerke, Giesick, Glennen, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Kolstad, Kosena, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Mr. Speaker. Total 73.

Noes: Ainsworth, Aspevig, Bardanouve, Campbell, Christiansen, Devine, Eggebrecht, Fasbender, Greely, Gunderson, Hall, Hodges, Knudsen, Kvaalen, Laas, Lien, McKittrick, Robbins, Staigmillier, Sverdsten, Towe, Wolf, Zimmer, Zody. Total 24.

Absent or not voting: Burnett, Haines, Kendall, Nichols. Total 4.

Excused: Brand, Fitzgarrald, McNamer. Total 3.

Edland made a substitute motion that Senate Bill No. 117 be segregated from the Committee of the Whole report. Motion carried.

Cox made a substitute motion that Senate Bill No. 164 be segregated

from the Committee of the Whole report, with a roll call vote being requested, with Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion carried by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Forester, Giesick, Glennen, Greely, Himsl, Hodges, Jackson, Keller, Kosena, Lockrem, Lockwood, Lundgren, McGrath, Marbut, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Robbins, Schoonover, Scott, Selstad, Shelden, Swanberg, Towe, Warfield, Watt, Worden, Yardley, Mr. Speaker. Total 51.

Noes: Aber, Anderson, Aspevig, Christiansen, Clemow, Edland, Falkenstern, Fasbender, Fleming, Gerke, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Johnston, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Marks, J. Murphy, Perry, Prevost, Quilici, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Ulmer, Weeding, Whitney, Wolf, Zimmer, Zody. Total 45.

Absent or not voting: Burnett, Harrison, Kendall, Sverdsten. Total 4.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend Rules so that Second and Third Reading of the same bill may be held the same day for the remainder of the session. Motion carried.

Swan moved that Senate Bill No. 47 be taken from the Committee on State Administration and be re-referred to Committee on Public Health, Welfare and Safety. Motion carried.

Keller moved that the Speaker appoint a Conference Committee of three to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 19. Motion carried.

THIRD READING OF SENATE BILLS

The following bills were read three several times and disposed of in the following manner:

Senate Bill No. 4 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 82.

Noes: Cox, Dye, Himsl, Keller, Lockwood, Marks, Mather, Perry, Scott, Selstad, C. Smith, E. Smith, Snortland, Wolf. Total 14.

Absent or not voting: Ainsworth, Burnett, Kendall, Spilde. Total 4.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 7 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Bardanouve, Hall, T. Murphy, Perry, Prevost. Total 5.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 19 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Jackson, C. Smith. Total 2.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 20 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Jackson. Total 1.

Absent or not voting: Burnett, Kendall, Lanthorn, J. Murphy. Total 4.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 39 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Bardanouve, Knudsen, T. Murphy, Whitney. Total 4.

Absent or not voting: Burnett, Eggebrecht, Kendall. Total 3.

Excused: Brand, Fitzgarrauld, McNamer, Nichols. Total 4.

Senate Bill No. 40 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Devine, Eggebrecht, Gunderson, Knudsen, Lien. Total 5.

Absent or not voting: Bardanouve, Burnett, Kendall. Total 3.

Excused: Brand, Fitzgarrauld, McNamer, Nichols. Total 4.

Senate Bill No. 42 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrauld, McNamer, Nichols. Total 4.

Senate Bill No. 46 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Sheldon, E. Smith, Spilde, Staigmilller, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 83.

Noes: Campbell, Forester, Giesick, Hall, Hemstad, Kvaalen, Lockrem, Mather, J. Murphy, T. Murphy, Selstad, C. Smith, Snortland, Swan, Ulmer. Total 15.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarraird, McNamer, Nichols. Total 4.

Senate Bill No. 64 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Forester, Giesick, Marks, Olson. Total 4.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarraird, McNamer, Nichols. Total 4.

Senate Bill No. 71 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, T. Murphy, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 80.

Noes: Bardanouve, Clemow, Eggebrecht, Fاسبender, Harrison, Jackson, Johnston, Keller, Kvaalen, Lien, J. Murphy, Norman, Prevost, Sverdsten, Watt, Weeding. Total 16.

Absent or not voting: Burnett, Kendall, Menahan, Sheldon. Total 4.

Excused: Brand, Fitzgarraird, McNamer, Nichols. Total 4.

Senate Bill No. 77 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, T. Murphy, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Bennett, Marks, J. Murphy, Olson, C. Smith. Total 5.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrauld, McNamer, Nichols. Total 4.

Senate Bill No. 78 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Mehrens. Total 1.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrauld, McNamer, Nichols. Total 4.

Senate Bill No. 83 was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Aber, Lien. Total 2.

Absent or not voting: Burnett, Harrison, Kendall. Total 3.

Excused: Brand, Fitzgarrauld, McNamer, Nichols. Total 4.

Senate Bill No. 91 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnabender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 89.

Noes: Anderson, Cox, Harrison, Kolstad, Perry, C. Smith, Spilde, Sverdsten. Total 8.

Absent or not voting: Burnett, Kendall, Zimmer. Total 3.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 93 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnabender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: None.

Absent or not voting: Burnett, Kendall, J. Murphy. Total 3.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 106 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Edland, Eggebrecht, Ellerd, Fagg, Fasnabender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Campbell, East, Falkenstern, Forester, Olson, Selstad, Whitney. Total 7.

Absent or not voting: Burnett, Dye, Kendall, McGrath, J. Murphy. Total 5.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 107 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 108 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Burnett, Dye, Kendall, Lundgren. Total 4.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 112 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Parrish. Total 1.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 113 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: T. Murphy, Whitney. Total 2.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 116 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: None.

Absent or not voting: Burnett, Kendall, T. Murphy. Total 3.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 120 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Hemstad, Lien, Lundgren, Marks, C. Smith, Whitney. Total 6.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 121 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 127 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Staigmiller, Swan, Towe, Warfield, Watt, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 81.

Noes: Cox, Forester, Kvaalen, Lockrem, Lundgren, Marks, J. Murphy, T. Murphy, Perry, C. Smith, Snortland, Spilde, Sverdsten, Swanberg, Ulmer, Weeding, Wolf. Total 17.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 128 was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Aber, Burnett, Dye, Kendall. Total 4.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 133 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: None.

Absent or not voting: Burnett, Kendall, Olson. Total 3.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 166 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 167 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, Fitzgarrald, McNamer, Nichols. Total 4.

Senate Bill No. 201 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, McNamer, Nichols. Total 3.

Mather moved that Senate Bill No. 206 be taken from Third Reading and be placed on Second Reading. Motion carried.

Senate Bill No. 214 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Burnett, Hall, Kendall. Total 3.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 219 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 97.

Noes: None.

Absent or not voting: Burnett, Kendall, Olson, Mr. Speaker. Total 4.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 244 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Burnett, Kendall, T. Murphy. Total 3.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 245 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Marks, T. Murphy. Total 2.

Absent or not voting: Burnett, Kendall, Spilde. Total 3.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 249 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Staigmillar, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Anderson, Cox, East, Fitzgarrald, Hemstad, Kolstad, T. Murphy, Olson, C. Smith, Snortland, Swan. Total 11.

Absent or not voting: Burnett, Ellerd, Kendall, Spilde. Total 4.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 253 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: None.

Absent or not voting: Burnett, Kendall, Selstad, Swan. Total 4.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 254 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Perry, C. Smith, Towe, Wolf. Total 4.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 263 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 272 was concurred in by the following vote:

Ayes: Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Christiansen, Cox, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, T. Murphy, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, Snortland, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody. Total 74.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Campbell, Clemow, Darrow, East, Fitzgarrald, Forester, Hemstad, Keller, Mather, Menahan, J. Murphy, Olson, Schoonover, Selstad, C. Smith, E. Smith, Spilde, Staigmiller, Ulmer, Whitney, Mr. Speaker. Total 25.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 274 was concurred in by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bennett, Brown, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lockwood, Lombardi, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Prevost, Robbins, Shelden, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 59.

Noes: Aber, Ainsworth, Asbjornson, Bradley, Brand, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Hemstad, Johnston, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lund, Lundgren, Lynch, Mather, Olson, Patrick, Perry, Nelstead, Quilici, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan. Total 42.

Pairs: Aye, Fasbender; No, Brand
Aye, Kendall; No, E. Smith

Absent or not voting: Burnett. Total 1.

Excused: McNamer, Nichols. Total 2.

Senate Bill No. 281 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Anderson, Harrison, C. Smith, Snortland. Total 4.

Absent or not voting: Burnett, Kendall, Lundgren. Total 3.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 304 was concurred in by the following vote:

Ayes: Aber, Aspevig, Baeth, Bardanouve, Bradley, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmillier, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 87.

Noes: Ainsworth, Anderson, Asbjornson, Bennett, Haines, Hemstad, Marbut, Olson, C. Smith, Sverdsten, Wolf. Total 11.

Absent or not voting: Burnett, Campbell, Kendall. Total 3.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 328 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Forester, Haines, Harrison, Kolstad, T. Murphy, E. Smith, Weeding. Total 7.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 329 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kosena, Kvaalen, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Olson, Parrish, Patrick, Perry, Nelstead, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmillier, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 84.

Noes: Campbell, Clemow, Forester, Haines, Harper, Kolstad, Laas, Lien, Lynch, Menahan, Norman, Prevost, Quilici, C. Smith, Sverdsten. Total 15.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Bill No. 339 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Burnett, Kendall, Marks. Total 3.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Joint Resolution No. 29 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: None.

Absent or not voting: Burnett, Gerke, Kendall, McGrath, J. Murphy, Whitney. Total 6.

Excused: Brand, McNamer, Nichols. Total 3.

Senate Amendments to House Bill No. 14 were concurred in by the following vote:

Ayes: Aber, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Christiansen, Clemow, Cox, Darrow, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Knudsen, Kolstad, Kosena, Laas, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, T. Murphy, Norman, Nelstead, Quilici, Robbins, Shelden, Snortland, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 72.

Noes: Ainsworth, Asbjornson, Brown, Campbell, Devine, Forester, Giesick, Hemstad, Jackson, Keller, Kvaalen, Lanthorn, Lockrem, Mather, J. Murphy, Olson, Parrish, Patrick, Perry, Prevost, Scott, Selstad, C. Smith, E. Smith, Spilde. Total 25.

Absent or not voting: Burnett, Kendall, Schoonover, Sverdsten. Total 4.

Excused: Brand, McNamer, Nichols. Total 3.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 246 was passed by the following vote:

Ayes: Aber, Anderson, Asbornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarraird, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Johnston, Keller, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Mehrens, Menahan, J. Murphy, Norman, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 76.

Noes: Ainsworth, Eggebrecht, Forester, Harrison, Hemstad, Jackson, Kvaalen, Marbut, Marks, Mather, T. Murphy, Olson, Perry, Prevost, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Wolf. Total 23.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, McNamer, Nichols. Total 3.

House Bill No. 287 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarraird, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Burnett, Kendall, Kvaalen. Total 3.

Excused: Brand, McNamer, Nichols. Total 3.

House Bill No. 406 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarraird, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Burnett, Kendall, Towe. Total 3.

Excused: Brand, McNamer, Nichols. Total 3.

House Bill No. 581 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fleming, Gerke, Giesick, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 89.

Noes: Burnett, Falkenstern, Forester, Glennen, Hemstad, Kolstad, Lundgren, McGrath, J. Murphy, Perry, Selstad. Total 11.

Pairs: Aye, Kendall; No, McGrath.

Aye, Hall; No, Burnett.

Absent or not voting: Robbins. Total 1.

Excused: Brand, McNamer, Nichols. Total 3.

House Bill No. 598 was passed by the following vote:

Ayes: Aber, Aspevig, Bardanouve, Bennett, Bradley, Brown, Christiansen, Darrow, Devine, Dye, Fagg, Fasbender, Fleming, Gerke, Giesick, Glennen, Gunderson, Haines, Hall, Harrison, Healy, Himsl, Hodges, Knudsen, Kvaalen, Laas, Lockwood, Lund, Lundgren, McGrath, Marbut, Marks, Menahan, Norman, Olson, Parrish, Patrick, Robbins, Scott, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Watt, Whitney, Worden, Yardley, Zimmer, Mr. Speaker. Total 50.

Noes: Ainsworth, Anderson, Asbjornson, Baeth, Campbell, Clemow, Cox, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fitzgarrald, Forester, Greely, Harper, Hemstad, Jackson, Johnston, Keller, Kolstad, Kosena, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lynch, McKittrick, Mather, Mehrens, J. Murphy, T. Murphy, Perry, Nelstead, Prevost, Quilici, Schoonover, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Ulmer, Warfield, Weeding, Wolf, Zody. Total 49.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, McNamer, Nichols. Total 3.

House Bill No. 29 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Burnett, Kendall. Total 2.

Excused: Brand, McNamer, Nichols. Total 3.

House Bill No. 30 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Waarfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Burnett, Keller, Kendall, Lockwood, Sverdsten. Total 5.

Excused: Brand, McNamer, Nichols. Total 3.

The Speaker appointed the following Conference Committees:

On Senate Amendments to House Bill No. 19: Keller, chairman; Warfield, Knudsen.

On House Amendments to Senate Bill No. 51: Scott, chairman; Bennett, Greely.

On House Amendments to Senate Bill No. 220: Patrick, chairman; Olson, Bardanouve.

MOTIONS AND RESOLUTIONS

Lockwood moved that the House reconsider its action in passing Senate Bill No. 274 on Third Reading this day.

As a substitute motion, Lockwood moved that the House suspend the Rules and delay the transfer of Senate Bill No. 274 to the Senate until the fifty-first legislative day. Motion failed.

Going back to the motion to reconsider, Hall asked for a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed to pass by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Bradley, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Hemstad, Johnston, Keller, Kolstad, Lanthorn, Lockrem, Lockwood, Lundgren, Lynch, Marks, Mather, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan. Total 41.

Noes: Anderson, Aspevig, Baeth, Bardanouve, Bennett, Brown, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lund, McGrath, McKittrick, Marbut, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 57.

Pairs: Aye, Lockrem; No, Gerke.

Aye, E. Smith; No, Kendall.

Absent or not voting: Burnett, Kvaalen, Sverdsten. Total 3.

Excused: Brand, McNamer, Nichols. Total 3.

Harrison moved that the House adjourn until 1:30 p. m., February 22, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FIFTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 22, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present.

The Speaker signed the following bills in open session: Senate Joint Resolution No. 1, Senate Bills Nos. 228, 80, 208, 207, 29, 223, 177, 13, 165, 139, 148, 238, 205.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Forty-Ninth Legislative Day and find the same correct.

HARRISON, Chairman

CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

February 22, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 419, 286.

MARKS, Chairman

February 22, 1971.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 155, 59, 275, 296, 57, 67, 250, 392, 448, 394, 211, 272, 306, 188, 153, 191, 150, 86, 347, 210, 105, 566, 450, 97, 489, 553, 324, 570, 395, 596, 332, House Joint Resolutions Nos. 22, 2.

MARKS, Chairman

I have examined House Bill No. 188, introduced by me, and find the same to be correct

GREELY

I have examined House Bill No. 332, introduced by me, and find the same to be correct

LANTHORN

I have examined House Bill No. 296, introduced by me, and find the same to be correct

JACKSON

I have examined House Bill No. 450, introduced by me, and find the same to be correct

MARBUT

I have examined House Bill No. 448, introduced by me, and find the same to be correct

ZIMMER

I have examined House Bill No. 489, introduced by me, and find the same to be correct

HEALY

I have examined House Bill No. 210, introduced by me, and find the same to be correct

LUCAS

I have examined House Bill No. 191, introduced by me, and find the same to be correct

LOCKWOOD

I have examined House Bill No. 155, introduced by the Judiciary Committee, and find the same to be correct.

SCOTT

I have examined House Bill No. 59, introduced by me, and find the same to be correct

WOLF

I have examined House Bill No. 347, introduced by me, and find the same to be correct

PATRICK

I have examined House Joint Resolution No. 22, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 250, introduced by me, and find the same to be correct

LYNCH

I have examined House Bill No. 566, introduced by me, and find the same to be correct

FLEMING

I have examined House Bill No. 570, introduced by me, and find the same to be correct

COX

I have examined House Joint Resolution No. 2, introduced by me, and find the same to be correct.

COX

I have examined House Bill No. 105, introduced by me, and find the same to be correct

HARRISON

I have examined House Bill No. 275, introduced by me, and find the same to be correct

HARRISON

I have examined House Bill No. 306, introduced by me, and find the same to be correct

LOCKWOOD

I have examined House Bill No. 153, introduced by the Judiciary Committee, and find the same to be correct.

SCOTT

I have examined House Bill No. 150, introduced by the Judiciary Committee, and find the same to be correct.

SCOTT

I have examined House Bill No. 272, introduced by me, and find the same to be correct

WARFIELD

I have examined House Bill No. 67, introduced by me, and find the same to be correct

KELLER

I have examined House Bill No. 394, introduced by me, and find the same to be correct

KELLER

I have examined House Bill No. 395, introduced by me, and find the same to be correct

KELLER

I have examined House Bill No. 553, introduced by me, and find the same to be correct

FASBENDER

I have examined House Bill No. 97, introduced by me, and find the same to be correct

FALKENSTERN

I have examined House Bill No. 324, introduced by me, and find the same to be correct

BARDANOUVE

I have examined House Bill No. 57, introduced by me, and find the same to be correct

EAST

I have examined House Bill No. 86, introduced by me, and find the same to be correct

EAST

I have examined House Bill No. 211, introduced by me, and find the same to be correct.

EAST

I have examined House Bill No. 392, introduced by me, and find the same to be correct.

EAST

I have examined House Bill No. 596, introduced by me, and find the same to be correct.

ROBBINS

The Speaker signed the following bills in open session: House Bills Nos. 155, 59, 275, 296, 57, 67, 250, 392, 448, 394, 211, 272, 306, 188, 153, 191, 150, 86, 347, 210, 105, 566, 450, 97, 489, 553, 324, 570, 395, 596, 332, and House Joint Resolutions Nos. 22, 2.

February 22, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be added to the payroll effective February 22, 1971.

Katherine Lee Markette
Malcolm Bruce Orser

Page
Doorkeeper

And further recommend that the following named House Attaches be removed from the payroll, effective dates as listed:

Paul Shaw, Doorkeeper 2/20/71

Mailing Clerks, 2/21/71.

Ann D. Richeson

Sherri Sewell

Peggy Waugh

Proofreaders: 2/21/71

Debbra Olsen

Orpha Vivian

Chief Proofreader: Ethel Bell 2/21/71

Multilith Clerk: Marie Berg 2/21/71

SPILDE, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 102, respectfully report as follows: That Senate Bill No. 102 be not concurred in.

SCOTT, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 101, respectfully report as follows: That Senate Bill No. 101 be not concurred in.

SCOTT, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 210, respectfully report as follows: That Senate Bill No. 210 be not concurred in.

SCOTT, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 211, respectfully report as follows: That Senate Bill No. 211 be not concurred in.

SCOTT, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 332, respectfully report as follows: That Senate Bill No. 332 be not concurred in.

SCOTT, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 320, respectfully report as follows: That Senate Bill No. 320 be not concurred in.

SCOTT, Chairman

Scott moved for adoption of the committee report.

As a substitute motion, Towe moved that Senate Bill No. 320 be placed on Second Reading. Motion failed.

Committee report was adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 286, respectfully report as follows: That Senate Bill No. 286 be concurred in.

SCOTT, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 92, respectfully report as follows: That Senate Bill No. 92 be amended on page 2, Section 2, line 3, of the bill approved by Committee on Judiciary after the word "liable" by inserting the material: "in the absence of fault or negligence", and, as amended, be concurred in.

SCOTT, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 270, respectfully report as follows: That Senate Bill No. 270 be amended

Scott moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, Section 1, subsection (c), lines 24 through 27 of the bill approved by the Committee on Public Health, Welfare and Safety by striking all of subsection (c) in its entirety and inserting in lieu thereof the material "(c) A person convicted of criminal possession of marijuana shall be guilty of a misdemeanor. Any person convicted of a first violation of this subsection shall be presumed to be entitled to a deferred imposition of sentence."

And, as amended, be concurred in.

SCOTT, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 200, respectfully report as follows: That Senate Bill No. 200 be amended

Warfield moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Be amended in Section 1 on page 1, line 23 through and including line 10 on page 5, by striking subsections 1 through 9 in their entirety and inserting in lieu thereof the following:

"Elementary School Schedule for 1971-72

(1) For each elementary school having an ANB of nine (9) or fewer pupils, the maximum shall be seven thousand four hundred eleven dollars (\$7411), if said school is approved as an isolated school.

(2) For schools with an ANB of ten (10) pupils, but less than eighteen (18) pupils, the maximum shall be seven thousand four hundred eleven dollars (\$7,411) plus two hundred thirty-two dollars (\$232) per pupil on the basis of the average number belonging over nine (9).

(3) For schools with an ANB of eighteen (18) pupils and employing one (1) teacher, the maximum shall be nine thousand four hundred ninety-six dollars (\$9,496) plus three hundred twenty dollars (\$320) per pupil

on the basis of the average number belonging over eighteen (18), not to exceed an ANB of twenty-five (25).

(4) For schools with an ANB of eighteen (18) pupils and employing two (2) full-time teachers, the maximum shall be sixteen thousand seven hundred ninety-six dollars (\$16,796), plus two hundred nine dollars (\$209) per pupil on the basis of the average number belonging over eighteen (18), not to exceed an ANB of fifty (50).

(5) For schools having an ANB in excess of forty (40) the maximum on the basis of the total pupils (ANB) in the district for elementary pupils will be as follows:

For a school having an ANB of more than forty (40) and employing a minimum of three teachers, the maximum of five hundred ninety-eight dollars (\$598) shall be decreased at the rate of forty-three cents (\$.43) for each additional pupil until the total number (ANB) shall have reached a total of one hundred (100) pupils. For a school having an ANB of more than one hundred (100) pupils, the maximum of five hundred seventy-two dollars (\$572) shall be decreased at the rate of fifty one cents (\$.51) for each additional pupil until the ANB shall have reached three hundred (300) pupils. For a school having an ANB of more than three hundred (300) pupils, the maximum shall not exceed four hundred seventy dollars (\$470) for each pupil.

(6) The maximum per pupil, for all pupils (ANB) and for all elementary schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil, ANB. All elementary schools operated within the incorporated limits of a city or town shall be treated as one school for the purpose of this schedule.

High School Schedule for 1971-72:

(7) For each high school having an ANB of twenty-four (24) or fewer pupils, the maximum shall be thirty-six thousand forty dollars (\$36,040).

(8) For a secondary school having an ANB of more than twenty-four (24) pupils, the maximum one thousand five hundred two dollars (\$1,502) shall be decreased at the rate of nine dollars seventy-five cents (\$9.75) for each additional pupil until the ANB shall have reached a total of forty (40) such pupils. For a school having an ANB of more than forty (40) pupils, the maximum of one thousand three hundred forty-six dollars (\$1,346) shall be decreased at the rate of six dollars sixty cents (\$6.60) for each additional pupil until the ANB shall have reached one hundred (100) pupils. For a school having an ANB of more than one hundred (100) pupils, a maximum of nine hundred forty-nine dollars (\$949) shall be decreased at the rate of two dollars fifteen cents (\$2.15) for each additional pupil until the ANB shall have reached two hundred (200) pupils. For a school having an ANB of more than two hundred (200) pupils, the maximum of seven hundred thirty-four dollars (\$734) shall be decreased by forty-nine cents (\$.49) for each additional pupil until the ANB shall have reached three hundred (300) pupils. For a school having an ANB of more than three hundred (300) pupils the maximum of six hundred eighty-five dollars (\$685) shall be decreased at the rate of thirteen cents (\$.13) until the ANB shall have reached six hundred (600) pupils. For a school having an ANB over six hundred (600) pupils, the maximum shall not exceed six hundred forty-eight dollars (\$648) per pupil.

(9) The maximum per pupil for all pupils (ANB) and for all high schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil, ANB. All high schools and junior high schools which have been approved and accredited as junior high schools, operated within the incorporated limits of a city or town shall be treated as one school for the purpose of this schedule.

Elementary School Schedule for 1972-73 and succeeding years.

(10) For each elementary school having an ANB of nine (9) or fewer pupils, the maximum shall be seven thousand five hundred eighty-six dollars (\$7,586), if said school is approved as an isolated school.

(11) For schools with an ANB of ten (10) pupils, but less than eighteen (18) pupils, the maximum shall be seven thousand five hundred eighty-six dollars (\$7,586) plus two hundred fifty-two dollars (\$252) per pupil on the basis of the average number belonging over nine (9).

(12) For schools with an ANB of eighteen (18) pupils and employing one (1) teacher, the maximum shall be nine thousand eight hundred forty-five dollars (\$9,845) plus three hundred forty dollars (\$340) per pupil on the basis of the average number belonging over eighteen (18), not to exceed an ANB of twenty-five (25).

(13) For schools with an ANB of eighteen (18) pupils and employing two (2) full time teachers, the maximum shall be seventeen thousand one hundred forty-five dollars (\$17,145) plus two hundred twenty-eight dollars (\$228) per pupil on the basis of the average number belonging over eighteen (18), not to exceed an ANB of fifty (50).

(14) For schools having an ANB in excess of forty (40) the maximum on the basis of the total pupils (ANB) in the district for elementary pupils will be as follows:

For a school having an ANB of more than forty (40) and employing a minimum of three (3) teachers, the maximum of six hundred eighteen dollars (\$618) shall be decreased at the rate of forty-three cents (\$.43) for each additional pupil until the total number (ANB) shall have reached a total of one hundred (100) pupils. For a school having an ANB of more than one hundred (100) pupils, the maximum of five hundred ninety-two (\$592) shall be decreased at the rate of fifty-one cents (\$.51) for each additional pupil until the ANB shall have reached three hundred (300) pupils. For a school having an ANB of more than three hundred (300) pupils, the maximum shall not exceed four hundred eighty-nine dollars (\$489) for each pupil.

(15) The maximum per pupil, for all pupils (ANB) and for all elementary schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil, ANB. All elementary schools operated within the incorporated limits of a city or town shall be treated as one school for the purpose of this schedule.

High School Schedule for 1972-73 and succeeding years.

(16) For each high school having an ANB of twenty-four (24) or fewer pupils, the maximum shall be thirty-six thousand seven hundred dollars (\$36,700).

(17) For a secondary school having an ANB of more than twenty-four (24) pupils, the maximum one thousand five hundred twenty-nine dollars (\$1,529) shall be decreased at the rate of nine dollars seventy-five cents (\$9.75) for each additional pupil until the ANB shall have reached a total of forty (40) such pupils. For a school having an ANB of more than forty (40) pupils, the maximum of one thousand three hundred seventy-three dollars (\$1,373) shall be decreased at the rate of six dollars sixty cents (\$6.60) for each additional pupil until the ANB shall have reached one hundred (100) pupils. For a school having an ANB of more than one hundred (100) pupils, a maximum of nine hundred seventy-six dollars (\$976) shall be decreased at the rate of two dollars fifteen cents (\$2.15) for each additional pupil until the ANB shall have reached two hundred (200) pupils. For a school having an ANB of more than two hundred (200) pupils, the maximum of seven hundred sixty-one dollars (\$761) shall be decreased by forty-nine cents (\$.49) for each additional

pupil until the ANB shall have reached three hundred (300) pupils. For a school having an ANB of more than three hundred (300) pupils, the maximum of seven hundred thirteen dollars (\$713) shall be decreased at the rate of thirteen cents (\$.13) until the ANB shall have reached six hundred (600) pupils. For a school having an ANB over six hundred (600) pupils, the maximum shall not exceed six hundred seventy-five dollars (\$675) per pupil.

(18) The maximum per pupil for all pupils (ANB) and for all high schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil, ANB. All high schools and junior high schools which have been approved and accredited as junior high schools, operated within the incorporated limits of a city or town shall be treated as one school for the purpose of this schedule.

And as amended, be concurred in.

Report adopted.

WARFIELD, Chairman

February 22, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 10, respectfully report as follows: That Senate Bill No. 10 be not concurred in.

Report adopted.

WARFIELD, Chairman

February 22, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 301, respectfully report as follows: That Senate Bill No. 301 be concurred in.

Report adopted.

WARFIELD, Chairman

February 22, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 22, respectfully report as follows: That Senate Bill No. 22 be concurred in.

Report adopted.

E. SMITH, Chairman

February 22, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 247, respectfully report as follows: That Senate Bill No. 247 be concurred in.

Report adopted.

E. SMITH, Chairman

February 22, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 178, respectfully report as follows: That Senate Bill No. 178 be concurred in.

Report adopted.

E. SMITH, Chairman

February 22, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Joint Resolution No. 26, respectfully report as follows: That Senate Joint Resolution No. 26 be concurred in.

Report adopted.

E. SMITH, Chairman

February 22, 1971

Mr. Speaker: We, your Committee on Business and Industry, having

had under consideration Senate Bill No. 226, respectfully report as follows:
That Senate Bill No. 226 be amended

Be amended on page 2, line 18, after the word "planning," by adding the word "engineering", and

Be further amended on page 2, line 19, after the word "planning" by inserting the words "service performed"

And, as amended, be concurred in.

WORDEN, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 234, respectfully report as follows:
That Senate Bill No. 234 be concurred in.

WORDEN, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 338, respectfully report as follows:
That Senate Bill No. 338 be not concurred in.

WORDEN, Chairman

Worden moved for adoption of the committee report.

As a substitute motion, Anderson moved that Senate Bill No. 338 be placed on Second Reading. Motion failed.

Committee report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 171, respectfully report as follows:
That Senate Bill No. 171 be concurred in.

WORDEN, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 321, respectfully report as follows:
That Senate Bill No. 321 be amended

Cox moved that the House suspend its Rules and consider the amendments read at length. Motion carried.

Be amended on page 1, line 20 before the word "judgments" by inserting the following words "to pay"

And be further amended on page 1, line 20, after the word "judgments," by striking the following material, "[firemen's disability and pension, police reserve]"

And be further amended on page 1, line 22, after the letters "volving" by striking the word "[against]" and inserting in lieu thereof the words "funds of"

And be further amended on page 2, line 6, after the word "exceed" by striking the following material, "[sixty 60]" and inserting in lieu thereof the following material: "sixty-five (65)"

And be further amended on page 2, line 9 after the word "judgments," by striking the following material, "[firemen's disability and pension, police reserve]"

And be further amended on page 3, line 21 after the word "levies" by inserting the words "to pay"

And be further amended on page 3, line 23 at the beginning of the line by striking the following material, "[firemen's disability and pension, police reserve]"

And be further amended on page 3, line 24 after the word "revolving" by inserting the word "funds"

And, as amended, be concurred in.

COX, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 305, respectfully report as follows: That Senate Bill No. 305 be concurred in.

WORDEN, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 13, respectfully report as follows: That House Resolution No. 13 be amended on page 1 of the introduced bill, in the title, line 5, after the word "that", through line 7, before the word "to" by striking the material therein in its entirety and inserting in lieu thereof the following material: "the state office of planning and economic development meet with officials of the Holly Sugar Company",

And, as amended, be adopted.

WORDEN, Chairman

Report adopted.

HOUSE RESOLUTION NO. 13

Introduced by Christiansen.

A Resolution of the House of Representatives of the State of Montana directing that officials of the Holly Sugar Company meet with the State Office of Planning and Economic Development to determine any common ground that may enable the reopening of the sugar refinery.

WHEREAS, the Holly Sugar Company has announced that it would terminate the refining of sugar from sugar beets, and would close its plant in Hardin, Montana, and

WHEREAS, such termination is to take effect immediately, to the economic detriment of that community and this state, and

WHEREAS, no public notice prior to the announcement was given by the Holly Sugar Company to the growers supplying its sugar refinery there, that such closure was imminent, and to the community of Hardin, and

WHEREAS, there has been no public pronouncement of any interest on the part of Holly Sugar Company that such closure be temporary, and

WHEREAS, great hardships and economic deterioration will result in the community of Hardin and in the state, in that such refinery employed fifty-five (55) year-round employees and one hundred fifty (150) seasonal employees, representing an annual economic effect of over six million dollars (\$6,000,000), and

WHEREAS, some thirteen thousand (13,000) acres of irrigated land are adversely affected, and the closure creates a hardship on farm opera-

tors who have heavy investments in machinery and equipment suitable only for beet raising, and

WHEREAS, much of the land involved is owned by members of the Crow Indian Tribe who will suffer loss of income by such closure, and in addition Crow Tribal members are employees of the refinery, and

WHEREAS, it appears that the freight rate structure applying to the transportation of beets and the refined product contributed to the decision to close, and prohibits the transportation of beets from the stricken area to other refineries, and

WHEREAS, the tax base of Big Horn County, and the State of Montana are adversely affected.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the House of Representatives earnestly solicit the management officers of Holly Sugar Company to rescind its decision to close the factory at Hardin in 1971.

BE IT FURTHER RESOLVED, that Holly Sugar Company be requested to study the possibility of putting into effect a phase-out program or a lease arrangements if such is necessary so that producers and workers affected, as well as the community and the state, can gradually adjust to such closure.

BE IT FURTHER RESOLVED, that the State Office of Planning and Economic Development call for and direct a conference, with all deliberate speed, of the corporate officers of Holly Sugar Company, responsible railroad and motor truck officials, and any other industrial representatives necessary, together with representatives of producers and other interested parties in the area, to determine any common ground that might enable the reopening of such sugar refinery.

BE IT FURTHER RESOLVED, that copies of this resolution be forthwith mailed by the Chief Clerk of the House, to the Holly Sugar Company, to the director of the State Office of Planning and Economic Development, to the mayor of the City of Hardin, Montana, to the Board of County Commissioners of Big Horn County, and to all members of the Congressional Delegation.

February 22, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 146, respectfully report as follows: That Senate Bill No. 146 be not concurred in.

WORDEN, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 170, respectfully report as follows: That Senate Bill No. 170 be amended on page 10, section 6, line 12, before the figures "50-116" by adding the figures "50-115",

And, as amended, be concurred in.

WORDEN, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your majority Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Reso-

lution No. 17, respectfully report as follows: That Senate Joint Resolution No. 17 be not concurred in.

FAGG
FALKENSTERN
FORESTER
ZIMMER
ZODY

February 22, 1971

Mr. Speaker: We, your minority Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 17, respectfully report as follows: That Senate Joint Resolution No. 17 be concurred in.

BROWN
LYNCH
MENAHAH
SHELDEN

Forester moved for adoption of the majority committee report.

As a substitute motion, Lynch moved for adoption of the minority committee report and requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Haines moved the previous question. Motion carried.

The substitute motion failed by the following vote:

Ayes: Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Christiansen, Devine, Edland, Eggebrecht, Fاسبender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Knudsen, Kosena, Laas, Lee, Lombardi, Lynch, McGrath, McKittrick, Marbut, Menahan, Norman, Parrish, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Sverdsten, Towe, Watt. Total 39.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Bennett, Burnett, Campbell, Clemow, Cox, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Kolstad, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks Mather, J. Murphy, T. Murphy, Nichols Olson, Patrick, Perry, Nelstead, Prevost, Scott, Selstad, C. Smith, Snortland, Spilde, Swan, Swanberg, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 62.

Absent or not voting: Darrow, Mehrens, E. Smith. Total 3.

Excused: None.

February 22, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 299, respectfully report as follows: That Senate Bill No. 299 be not concurred in.

HAINES, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 279, respectfully report as follows: That Senate Bill No. 279 be concurred in.

HAINES, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and

Federal Relations, having had under consideration Senate Bill No. 273, respectfully report as follows: That Senate Bill No. 273 be concurred in.

HAINES, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 199, respectfully report as follows: That Senate Bill No. 199 be concurred in.

HAINES, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 43, respectfully report as follows: That Senate Bill No. 43 be concurred in.

HAINES, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 12, respectfully report as follows: That Senate Bill No. 12 be amended on page 2, line 27 of the introduced bill, following the word "commissioners" by striking the word "may" and inserting in lieu thereof the word "shall",

And, as amended, be concurred in.

HAINES, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 21, respectfully report as follows: That Senate Joint Resolution No. 21 be not concurred in.

HAINES, Chairman

Haines moved for adoption of the committee report.

As a substitute motion, Towe moved that Senate Joint Resolution No. 21 be placed on Second Reading. Motion failed.

Committee report was adopted.

February 22, 1971

Mr. Speaker: We, your committee on Ways and Means, having had under consideration Senate Bill No. 14, respectfully report as follows: That Senate Bill No. 14 be amended

Be amended on page 1 of the original and reproduced bill, Section 1, line 16 following the word "tractors" by deleting the following material: "[or in registered or unregistered, licensed or unlicensed vehicles]", and

"[Material in brackets denotes cancelled type.]"

Further amend Committee on Ways and Means amendments to Senate Bill No. 14 dated February 16, 1971, by striking said amendments in their entirety,

And, as amended, be concurred in.

ULMER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 be amended

Be amended in Section 1, of the original and reproduced bill, page 1, line 19 after the word "utilized" by deleting the word "[exclusively]" and inserting in lieu thereof the word "primarily". and

Further amend in Section 1, subsection (1), page 1, line 22 following the word "years" by inserting the following new material: "after qualifying under this act", and

Further amend in Section 1, subsection (2), page 1, line 28 following the word "longer" by inserting the following new material: "prior to the original application", and

Further amend in Section 1, subsection (3), page 1, line 30 following the word "utilized" by inserting the following new word "primarily", and

Further amend in Section 1, subsection (4), page 2, line 7 following the word "withdrawn" by inserting the following new material: "however, upon requalifying the unused portion of the 3 year period shall be granted"

And, as amended, do pass.

ULMER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 282, respectfully report as follows: That Senate Bill No. 282 be concurred in.

KELLER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 159, respectfully report as follows: That Senate Bill No. 159 be concurred in.

KELLER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 156, respectfully report as follows: That Senate Bill No. 156 be concurred in.

KELLER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Joint Resolution No. 27, respectfully report as follows: That Senate Joint Resolution No. 27 be concurred in.

KELLER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Joint Resolution No. 24, respectfully report as follows: That Senate Joint Resolution No. 24 be concurred in.

KELLER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 231, respectfully report as follows: That Senate Bill No. 231 be concurred in.

KELLER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 175, respectfully report as follows: That Senate Bill No. 175 be concurred in.

KELLER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 306, respectfully report as follows: That Senate Bill No. 306 be not concurred in.

KELLER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 290, respectfully report as follows: That Senate Bill No. 290 be concurred in.

KELLER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 203, respectfully report as follows: That Senate Bill No. 203 be concurred in.

KELLER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 212, respectfully report as follows: That Senate Bill No. 212 be concurred in.

SWAN, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 20, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol
Dear Sir:

This will inform you that I have this day signed the following measures:

House Bills Nos. 100, 120, 121, 178, and 422.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

February 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day in the Committee of the Whole recommended that House Bill No. 547 be not concurred in, report adopted. On motion that carried the bill was laid on the table and is therefore returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 22, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate accedes to the request of the House and House Bill No. 34 is herewith returned to the House for further consideration.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Scott moved that the House take off the table the motion to lay on the table the move to reconsider Senate Bill No. 149 on the forty-eighth legislative day. Motion failed.

Mather moved that Senate Bill No. 206 be taken from Second Reading and placed on Third Reading. Motion carried.

Brand moved that Senate Bill No. 194 be passed for the day on Second Reading. Motion carried.

Cox moved that Senate Bill No. 164 be passed on Second Reading for the day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 606, introduced by Healy, Johnston, Lee, Mehrens, Lombardi, McGrath, Lundgren, Harper, Clemow, Kosena, Keller, Quilici, Lynch, Menahan: A bill for an act entitled: "An act appropriating moneys for the environmental engineering program at the Montana College of Mineral Science and Technology." Referred to Committee on Appropriations.

House Bill No. 607, introduced by Kvaalen, Himsl, Gerke: A bill for an act entitled: "An act to appropriate monies to certain state institutions and agencies for the biennium ending June 30, 1973." Referred to Committee on Appropriations.

House Resolution No. 15, introduced by Marks: A resolution of the House of Representatives of the State of Montana, to the United States Congress, in support of the proposed plan of the United States Bureau of Reclamation for dust abatement on the Canyon Ferry Unit, Helena-Great Falls Division, Pick-Sloan Missouri Basin Program of the Missouri River Basin Project, Montana. Referred to Committee on Environment and Resources.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, were disposed of in the following manner:

Senate Bill No. 23 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Edland, Eggebrecht, Ellerd, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, C. Smith, E. Smith, Snortland, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Gunderson, Knudsen, Schoonover, Staigmillier. Total 4.

Absent or not voting: Cox, Dye, East, Fagg, Fasbender, Giesick, Haines, J. Murphy, Perry, Selstad, Spilde. Total 11.

Excused: Patrick. Total 1.

Senate Bill No. 28 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Kvaalen, Marks, Spilde, Total 3.

Absent or not voting: Cox, Dye, Fasbender, Giesick, Haines, Perry, Selstad. Total 7.

Excused: Patrick. Total 1.

Senate Bill No. 45 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Staigmillier, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Anderson, Bennett, Haines, Jackson, Marks, J. Murphy, Selstad, C. Smith, Spilde, Swan. Total 10.

Absent or not voting: Cox, Fasbender, Gunderson. Total 3.

Excused: Patrick. Total 1.

Senate Bill No. 60 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Staigmiller, Sverdsten, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 85.

Noes: Anderson, Brand, Fitzgarrald, Keller, McKittrick, McNamer, Marks, Olson, Schoonover, C. Smith, Snortland, Swan, Swanberg, Yardley, Zimmer. Total 15.

Absent or not voting: Cox, Fasbender, McGrath, Spilde. Total 4.

Excused: None.

Senate Bill No. 61 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 100.

Noes: Greely, Zimmer. Total 2.

Absent or not voting: Cox, Fasbender. Total 2.

Excused: None.

Senate Bill No. 88 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Anderson, Bardanouve, Brand, Edland, Kosena, Lockwood, Menahan, Staigmiller, Towe. Total 9.

Absent or not voting: Cox, Mehrens. Total 2.

Excused: None.

Senate Bill No. 109 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Ainsworth, Fitzgarrald, Giesick, Keller, Knudsen, Kolstad, Lockrem, Olson, Perry, Selstad, Snortland, Wolf. Total 12.

Absent or not voting: Cox. Total 1.

Excused: Patrick. Total 1.

Senate Bill No. 110 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: Olson. Total 1.

Excused: Patrick. Total 1.

Senate Bill No. 111 was concurred in by the following vote:

Ayes: Aber, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, J. Murphy, Nichols, Norman, Parrish, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 79.

Noes: Ainsworth, Asbjornson, Aspevig, Brown, Forester, Hemstad,

Keller, Kvaalen, Lockrem, Lundgren, Marks, Mather, T. Murphy, Olson, Perry, Prevost, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Ulmer, Wolf, Worden. Total 24.

Absent or not voting: None.

Excused: Patrick. Total 1.

Senate Bill No. 115 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Sverdsten. Total 1.

Absent or not voting: Jackson, Olson. Total 2.

Excused: Patrick. Total 1.

Senate Bill No. 119 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Fitzgarrald, Hemstad, Kolstad, Lund, C. Smith, Snortland, Total 6.

Absent or not voting: Dye, Harrison. Total 2.

Excused: Patrick. Total 1.

Senate Bill No. 157 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller,

Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 103.

Noes: None.

Absent or not voting: None.

Excused: Patrick. Total 1.

Senate Bill No. 173 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bardanouve, Bennett, Bradley, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marks, Mather, J. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, C. Smith, E. Smith, Snortland, Swan, Swanberg, Towe, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 80.

Noes: Baeth, Brand, Campbell, Edland, Haines, Harper, Himsl, Knudsen, Kvaalen, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Schoonover, Shelden, Staigmiller, Sverdsten, Watt. Total 19.

Absent or not voting: Brown, Nichols, Spilde, Zimmer. Total 4.

Excused: Patrick. Total 1.

Senate Bill No. 179 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Hemstad, Marks, Perry, C. Smith, Spilde, Whitney, Wolf. Total 7.

Absent or not voting: None.

Excused: Patrick. Total 1.

Senate Bill No. 189 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Robbins, Schoonover, Scott, Selstad, Shelden,

C. Smith, E. Smith, Snortland, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Brand, Ellerd, Harper, Lynch, Mehrens, Menahan, Quilici, Whitney. Total 8.

Absent or not voting: Spilde. Total 1.

Excused: None.

Senate Bill No. 202 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, McGrath, McKittrick, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Prevost, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Staigmillar, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 76.

Noes: Anderson, Asbjornson, Aspevig, Clemow, East, Falkenstern, Haines, Harrison, Hemstad, Himsl, Kolstad, Laas, Lundgren, Lynch, McNamer, Marbut, J. Murphy, Olson, Perry, Quilici, C. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf. Total 28.

Absent or not voting: None.

Excused: None.

Senate Bill No. 222 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Brand, Forester, Haines, Harrison, McNamer, T. Murphy, Weeding. Total 7.

Absent or not voting: None.

Excused: None.

Senate Bill No. 314 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather,

Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Harrison, Scott, Wolf, Yardley. Total 4.

Absent or not voting: None.

Excused: None.

Senate Bill No. 318 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: Mather, Scott, Ulmer. Total 3.

Absent or not voting: None.

Excused: None.

Senate Bill No. 206 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Forester, Harrison, Scott, C. Smith, Spilde, Ulmer, Yardley. Total 7.

Absent or not voting: Fitzgarrald. Total 1.

Excused: None.

Senate Amendments to House Bill No. 4 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lan-

thorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Parrish. Total 1.

Absent or not voting: Fitzgarrald, Gerke, Giesick, Lockwood, Shelden, Sverdsten. Total 6.

Excused: None.

Senate Amendments to House Bill No. 6 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 98.

Noes: Parrish, Zimmer. Total 2.

Absent or not voting: Gerke, McNamer, Shelden, Sverdsten. Total 4.

Excused: None.

Senate Amendments to House Bill No. 7 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: Lundgren, Parrish. Total 2.

Absent or not voting: McNamer, Shelden, Sverdsten. Total 3.

Excused: None.

Senate Amendments to House Bill No. 9 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,

Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 98.

Noes: Greely, Marbut, Parrish, Zimmer. Total 4.

Absent or not voting: Dye, Shelden. Total 2.

Excused: None.

Senate Amendments to House Bill No. 180 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: Lundgren, Parrish. Total 2.

Absent or not voting: Brown, McNamer, J. Murphy, Sverdsten. Total 4.

Excused: None.

Senate Amendments to House Bill No. 242 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Ulmer. Total 1.

Absent or not voting J. Murphy, Olson, Selstad. Total 3.

Excused: None.

Senate Amendments to House Bill No. 352 were concurred in by the following vote:

Ayes Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barदानoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Hemstad, Lundgren, Parrish, Snortland, Wolf. Total 5.

Absent or not voting: Christiansen, McGrath, McNamer, J. Murphy, Olson, Sverdsten. Total 6.

Excused: None.

Senate Amendments to House Bill No. 572 were concurred in by the following vote:

Ayes Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barदानoue, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mather, Menahan, J. Murphy, T. Murphy, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 91.

Noes: Lien, Lundgren, Norman, Parrish, Ulmer. Total 5.

Absent or not voting: Bennett, McNamer, Marks, Mehrens, Nichols, Selstad, Yardley, Zimmer. Total 8.

Excused: None.

Senate Amendments to House Bill No. 518 were concurred in by the following vote:

Ayes Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barदानoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 98.

Noes: Mather, Selstad, Mr. Speaker. Total 3.

Absent or not voting: McNamer, Mehrens, Ulmer. Total 3.

Excused: None.

Senate Amendments to House Bill No. 575 were concurred in by the following vote:

Ayes Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kend-all, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swan-berg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Greely, Gunderson, Harrison, Lundgren, Parrish, Perry, Sverd-sten. Total 7.

Absent or not voting: Bennett, Fagg, Forester, McNamer, Mehrens. Total 5.

Excused: None.

Senate Amendments to House Joint Resolution No. 1 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Gerke, Giesick, Glennen, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McKittrick, Marbut, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 77.

Noes: Brown, Forester, Greely, Harrison, Hemstad, Keller, Lockrem, Lundgren, McNamer, Marks, Parrish, Perry, Selstad, C. Smith, E. Smith, Snortland, Spilde, Whitney, Wolf. Total 19.

Absent or not voting: Dye, Fitzgarrald, Knudsen, McGrath, Mehrens, Sverdsten, Swan. Total 7.

Excused: Patrick. Total 1.

Senate Joint Resolution No. 4 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Falken-stern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Perry, Nelstead, Pre-vost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Snortland. Total 1.

Absent or not voting: Dye, Ellerd, Mehrens, Nichols, Olson. Total 5.

Excused: Patrick. Total 1.

Senate Joint Resolution No. 12 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Dye, McNamer, Mehrens, Sverdsten. Total 4.

Excused: Patrick. Total 1.

Senate Joint Resolution No. 16 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. E. Murphy, T. L. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. M. Smith, E. B. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardly, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Dye, Jackson, McGrath. Total 3.

Excused: Patrick. Total 1.

Senate Joint Resolution No. 19 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Dye, Olson, Selstad. Total 3.

Excused: Patrick. Total 1.

Senate Joint Resolution No. 20 failed to be concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greeley, Gunderson, Haines, Hall, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockwood, Lund, McKittrick, Marbut, J. Murphy, Norman, Parrish, Robbins, Schoonover, Scott, Shelden, Staigmilller, Towe, Ulmer, Warfield, Watt, Yardley, Zimmer, Zody. Total 51.

Noes: Ainsworth, Aspevig, Campbell, Cox, Darrow, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Lanthorn, Lee, Lockrem, Lombardi, Lundgren, Lynch, McGrath, McNamer, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Olson, Perry, Nelstead, Prevost, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Weeding, Whitney, Wolf, Worden, Mr. Speaker. Total 51.

Absent or not voting: Dye. Total 1.

Excused: Patrick. Total 1.

Senate Joint Resolution No. 23 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greeley, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Anderson, Gunderson, Himsl, Jackson, Selstad, C. Smith, Snortland, Sverdsten, Whitney, Wolf. Total 10.

Absent or not voting: Dye, McGrath, J. Murphy. Total 3.

Excused: Patrick. Total 1.

Senate Joint Resolution No. 28 failed to be concurred in by the following vote:

Ayes: Anderson, Bardanouve, Bradley, Kolstad, Lundgren, Parrish, Scott, Swan, Watt, Zimmer. Total 10.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greeley, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Nelstead, Prevost, Quilici, Schoonover, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 87.

Absent or not voting: Dye, Eggebrecht, Harrison, Menahan, Perry, Robbins. Total 6.

Excused: Patrick. Total 1.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, were disposed of in the following manner:

House Bill No. 286 was passed by the following vote:

Ayes: Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Burnett, Campbell, Christiansen, Darrow, Dye, Edland, Ellerd, Fagg, Fasbender, Fleming, Gerke, Greely, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kvaalen, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, T. Murphy, Norman, Olson, Parrish, Patrick, Quilici, Robbins, Schoonover, Selstad, Shelden, Snortland, Staigmilller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zody. Total 62.

Noes: Asbjornson, Aspevig, Brand, Brown, Clemow, Cox, Devine, East, Eggebrecht, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Hemstad, Kolstad, Kosena, Laas, Lanthorn, Lockrem, Lundgren, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Perry, Nelstead, Prevost, Scott, C. Smith, E. Smith, Spilde, Swan, Whitney, Wolf, Zimmer, Mr. Speaker. Total 40.

Absent or not voting: Aber, Harrison. Total 2.

Excused: None.

House Bill No. 419 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Hemstad, Lanthorn, Sverdsten. Total 3.

Absent or not voting: Yardley. Total 1.

Excused: None.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading. Motion carried.

Swanberg in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 252 be passed to the bottom of the board.

That Senate Bill No. 258 be concurred in.

That Senate Bill No. 229 be passed to the bottom of the board.

That Senate Bill No. 225 be concurred in.

That Senate Bill No. 242 be amended in the title by striking the period and inserting in lieu thereof “, providing an effective date.”,

And further amend on page 3, line 3 by deleting the word “child” and inserting in lieu thereof the word “person”,

And, as amended, be concurred in.

That Senate Bill No. 217 be not concurred in.

That Senate Bill No. 294 be concurred in.

That Senate Bill No. 144 be concurred in.

That Senate Amendments to House Bill No. 568 be not concurred in.

That Senate Amendments to House Bill No. 303 be passed for the day.

That Senate Amendments to House Bill No. 475 be passed for the day.

That Senate Amendments to House Bill No. 315 be not concurred in.

That Senate Amendments to House Bill No. 60 be concurred in.

That Senate Amendments to House Bill No. 399 be concurred in.

That Senate Amendments to House Bill No. 520 be concurred in.

That Senate Bill No. 117 be amended in the Title by inserting after the word “licensed”, on line 10, the word “clinical”

And further amend in Section 1 by inserting the word “Clinical” before the word “psychologist”, and

As amended, be concurred in.

That Senate Bill No. 196 be concurred in.

That Senate Bill No. 195 be concurred in.

That Senate Bill No. 204 be passed for the day.

That Senate Bill No. 288 be amended in Section 1, page 1, line 17, after the word “contracts” by striking the following material: “[awarded by any city, town or county]”, and

Be further amended in Section 1, page 1, line 28, after the word “city” by striking the following material: “[, county]”, and

Further amend Section 1, page 1, line 30, after the word “city” by striking the following material: “[, county]”, and

Further amend Section 1, page 2, line 2, after the word “city” by striking the following material: “[, county]”, and

Further amend Section 1, page 2, line 4, after the word “city” by striking the following material: “[, county]”, and

Further amend Section 1, page 2, line 12, after the word “council” by striking the following material: “[or]”, and

Further amend Section 1, page 2, line 13, before the word "may" by striking the following material: "[commissioners]", and

Further amend Section 1, page 2, line 20, after the word "council" by striking the following material: "[or]", and

Further amend Section 1, page 2, line 21, before the word "may" by striking the following material: "[commissioners]", and

Further amend Section 1, page 2, line 23 after the word "council" and before the word "present" on line 24, by striking the following material: "[or two-thirds (2/3) of the members of the commission]", and

Further amend Section 1, page 2, line 25, after the word "council" by striking the following material: "[or commission]", and

Further amend Section 1, page 2, line 29, before the word "at" by striking the following material: "[or commission]", and

Further amend Section 1, page 3, line 3, after the word "council" by striking the following material: "[or commission]", and

Further amend Section 1, page 3, line 24, after the word "city" and before the word "or" on line 25, by striking the following material: "[, county]", and

Further amend Section 1, page 3, line 27, after the word "city" by striking the following material: "[, county]", and

Further amend Section 1, page 3, line 30, after the word "city" by striking the following material: "[, county]", and

Further amend Section 1, page 4, line 3, after the word "cities" by striking the following material: "[, counties]", and

Further amend Section 1, page 4, line 4, after the word "city" by striking the following material: "[, county]", and

Further amend Section 1, page 4, line 5, after the word "city" by striking the following material: "[, county]", and

Further amend Section 2, page 4, lines 6, 7 and 8, by striking the material in its entirety.

And, as amended, be concurred in.

That the Committee rise and report.

SWANBERG, Chairman

Swanberg moved for adoption of the Committee of the Whole report.

As a substitute motion, Mehrens moved that Senate Bill No. 217 be segregated from the Committee of the Whole report. A roll call vote was requested, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aber, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, East, Edland, Eggebrecht, Fasbender, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Knudsen, Kosena, Laas, Lee, Lombardi, Lund, Lynch, McKittrick, Mehrens, Menahan, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Warfield, Watt, Weeding, Yardley, Zimmer, Zody. Total 45.

Noes: Ainsworth, Asbjornson, Bennett, Burnett, Campbell, Cox, Darrow, Devine, Dye, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gennen, Haines, Harrison, Hemstad, Himsl, Keller, Kendall, Kolstad, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Perry, Nelstead,

Scott, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 51.

Absent or not voting: Anderson, Brown, Clemow, Gerke, Giesick, Lundgren, McGrath, E. Smith. Total 8.

Excused: None.

Paired: Mr. Speaker, no; Towe, aye; Ainsworth, no; McKittrick, aye; Fitzgarrald, no; Hall, aye; Mather, no; Fasbender, aye; Fagg, no; Yardley, aye.

Report adopted.

MOTIONS AND RESOLUTIONS

Bennett moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate to consider Senate Amendments to House Bill No. 568. Motion carried.

East moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate to consider Senate amendments to House Bill No. 315. Motion carried.

Lockrem, having voted on the prevailing side to reconsider Senate Bill No. 217, moved that the motion be laid on the table. Motion carried.

Bardanoue moved that Senate Bill No. 303 be re-referred to the Rules Committee from Second Reading. Motion carried.

Prevost, having voted on the prevailing side in adopting a Majority Committee report on Senate Joint Resolution No. 17, moved that the House reconsider its action. Motion failed.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 608, introduced by Laas, Kolstad, Weeding, Robbins: A bill for an act entitled: "An act appropriating moneys from the general fund to the Montana Water Resources Board for the biennium ending June 30, 1973, to conduct feasibility studies and preliminary surveys of certain water conservancy districts." Referred to Committee on Appropriations.

House Bill No. 609, introduced by Nichols, Dye: A bill for an act entitled: "An act appropriating fifty-eight thousand seven hundred nine dollars (\$58,709) from the agricultural experiment station earmarked revenue fund for the biennium ending June 30, 1973, for the acquisition of real property; appropriating as much as may be necessary from the agricultural experiment station earmarked revenue fund for interest and other costs to the purchaser for the acquisition of real property; authorizing the Board of Regents to enter into a contract for deed to approximately 93.69 acres of land in Gallatin County." Referred to Committee on Appropriations.

House Bill No. 610, introduced by Dye, Laas: A bill for an act entitled: "An act relating to the issue and sale by the State Board of Examiners of limited obligation highway bonds in a sum not exceeding eight million three hundred ninety-six thousand seven hundred sixty-one and no/100 dollars (\$8,396,761.00) for the purpose of acquiring a necessary site for and erecting and equipping a state highway commission headquarters building and complex; providing that said bonds shall be payable solely from net proceeds from gasoline taxation; pledging and appropriating a portion of such net proceeds to a special sinking fund account; re-

serving to the state the power of issuing additional highway bonds payable from the sinking fund account when authorized by law, or of refunding such bonds; eliminating the maximum interest rate of such bonds; amending sections 1, 3, 4, 6 and 7, Chapter 377, laws of 1969, and Section 32-2601, R.C.M., 1947, enacted by Section 4-301, Chapter 197, laws of 1965; and providing an effective date." Referred to Committee on Appropriations.

Harrison moved that the House adjourn until 1:00 p.m., February 23, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FIFTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 23, 1971

House convened, pursuant to adjournment, at 1:00 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present.

SPECIAL ORDER OF BUSINESS

Bruce Brown, President of Omis Corporaiton, gave a demonstration of his company's CEECO Legislative Roll Call System before the Assembly.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fiftieth Legislative Day and find the same correct.

HARRISON, Chairman

CHRISTIANSEN

The Speaker appointed the following to a Free Conference Committee to confer with a similar committee from the Senate on House Bill No. 568: Bennett, Forester, Swanberg.

The Speaker appointed the following to a Free Conference Committee to confer with a similar Senate committee on House Bill No. 315: East, Wolf, Baeth.

REPORTS OF STANDING COMMITTEES

February 23, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 305, beg leave to report that the same has this date been returned from the printer correctly printed.

BROWN, Member

February 22, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 10, 167, 247, 198, 285, 407, 473, 8, 17, 43, 109, 196, 261, House Joint Resolutions Nos. 13, 29, 41, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 4:30 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

February 23, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 169, respectfully report as follows: That Senate Bill No. 169 be not concurred in.

FALKENSTERN, Chairman

Falkenstern moved that the committee report be adopted.

As a substitute motion, Harper moved that Senate Bill No. 169 be placed on Second Reading and requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Aber, Baeth, Bradley, Brand, Christiansen, Cox, Darrow, Devine, Eggebrecht, Fasbender, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Healy, Knudsen, Kosena, Lanthorn, Lee, Lockrem, Lombardi, Lynch, McGrath, McKittrick, Mather, Mehrens, Menahan, Norman, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Weeding, Zody. Total 45.

Noes: Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, East, Ellerd, Falkenstern, Fitzgarrauld, Fleming, Haines, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kvaalen, Laas, Lien, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, J. Murphy, T. Murphy, Nichols, Olson, Prevost, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Watt, Whitney, Wolf, Worden, Mr. Speaker. Total 51.

Absent or not voting: Bardanouve, Dye, Edland, Fagg, Giesick, Warfield, Yardley, Zimmer. Total 8.

Excused: None.

The committee report was adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 257, respectfully report as follows: That Senate Bill No. 257 be not concurred in.

FALKENSTERN, Chairman

Falkenstern moved that the committee report be adopted.

As a substitute motion, Harper moved that Senate Bill No. 257 be placed on Second Reading and requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Aspevig, Baeth, Bradley, Brand, Christiansen, Devine, Eggebrecht, Fasbender, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lombardi, Lynch, Mc-

Kittrick, Mehrens, Menahan, Norman, Parrish, Quilici, Robbins, Staigmiller, Swanberg, Towe, Weeding, Yardley. Total 35.

Noes: Aber, Anderson, Asbjornson, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Harrison, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Kvaalen, Lien, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Olson, Perry, Nelstead, Prevost, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 59.

Absent or not voting: Ainsworth, Bardanouve, Bennett, Edland, Fagg, Haines, McGrath, Patrick, Shelden, Zimmer. Total 10.

Excused: None.

The committee report was adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Resolution No. 15, respectfully report as follows: That House Resolution No. 15

Be amended on page 1, line 24, following the words "dredging of" by striking the word "silk" and inserting in lieu thereof the word "silt"

And, as amended, be adopted.

LUNDGREN, Chairman

Report adopted.

HOUSE RESOLUTION NO. 15

Introduced by Marks.

A Resolution of the House of Representatives of the State of Montana, to the United States Congress, in support of the proposed plan of the United States Bureau of Reclamation for dust abatement on the Canyon Ferry Unit, Helena-Great Falls Division, Pick-Sloan Missouri Basin Program of the Missouri River Basin Project, Montana.

WHEREAS, the Canyon Ferry Unit, Helena-Great Falls Division, Pick-Sloan Missouri Basin Program, Montana, was constructed at considerable expense to the United States in 1954, and

WHEREAS, in the normal practice of raising and lowering the water level in Canyon Ferry Reservoir for the purpose of flood control and hydro-electrical power production some nine thousand (9,000) acres of beaches at the south end of the reservoir become exposed and subject to wind erosion, and

WHEREAS, the Bureau of Reclamation, in conjunction with the Montana Fish and Game Commission, has developed a plan to protect the most frequently exposed areas by a series of dikes, dredging of silt, and flooding, resulting in impoundments being created and developed for wildlife enhancement, and

WHEREAS, the proposed plan would:

(a) provide complete dust abatement for forty-six hundred (4,600) acres of beaches lying between elevation 3797 and 3780, which constitutes the limit of the most frequently exposed areas;

(b) maximize wildlife and recreation enhancement with a planned water supply and control facilities;

- (c) greatly enhance the ecology, environment, and physical appearance of the area by providing wildlife nesting and breeding grounds;
- (d) assist in controlling the air pollution of the area; and
- (e) would serve as an excellent demonstration project for other areas experiencing similar dust problems.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the House of Representatives of the State of Montana urge the United States Congress to appropriate funds to carry out the plan of dust abatement proposed by the Bureau of Reclamation for Canyon Ferry Reservoir.

BE IT FURTHER RESOLVED, that the House of Representatives of the State of Montana urge the Montana congressional delegation to support any federal legislation proposed to accomplish this purpose.

BE IT FURTHER RESOLVED, that the Secretary of State is instructed to send copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, and the Honorable John Melcher and the Honorable Richard Shoup, Congressmen from the State of Montana.

February 23, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Resolution No. 14, respectfully report as follows: That House Resolution No. 14 be adopted.

LUNDGREN, Chairman

Report adopted.

HOUSE RESOLUTION NO. 14

Introduced by Marks, T. Murphy

A Resolution of the House of Representatives of the State of Montana respectfully urging the Honorable Forrest H. Anderson, Governor, and the State Department of Planning and Economic Development to retain the Madison-Jefferson-Silver Bow Resource, Conservation and Development Group.

WHEREAS, it has been proposed that the counties of Madison, Jefferson and Silver Bow be removed from the now-existent Madison, Jefferson, Silver Bow Resource, Conservation and Development Group, and

WHEREAS, because of geographical barriers, the natural lay of the land, the state and federal highways, and railroads, and convenience, the general trading and economic area for the counties composing the Madison-Jefferson-Silver Bow Resource, Conservation and Development Group is the Jefferson River Valley, and

WHEREAS, the Madison-Jefferson-Silver Bow Resource, Conservation and Development Group is already in existence, is operating smoothly and effectively, is self-supporting, is working with private planning groups, and is carrying out essentially what the state department of planning and economic development intends to do, and

WHEREAS, the present plans of the state department of planning and economic development to segregate the counties are based not upon the economic and social needs of the people supposed to be served by the department but rather upon some other need not readily discernible to the people.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That it is the wish of the Montana House of Representatives that the Madison-Jeffersoon-Silver Bow Resource, Conservation and Development Group continue as it is presently constituted and that it not be divided for purposes not related to the economic and social well-being of the people of the area.

BE IT FURTHER RESOLVED, that copies of this resolution be sent by the secretary of state of Montana to the Honorable Forrest H. Anderson, Governor, and to the director of the state department of planning and economic development.

February 23, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 295, respectfully report as follows: That Senate Bill No. 295 be concurred in.

HEMSTAD, Chairman

Report adopted.

February 18, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 124, respectfully report as follows: That Senate Bill No. 124 be not concurred in.

HEMSTAD, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 24, respectfully report as follows: That Senate Bill No. 24 be amended

Scott moved the House suspend Rules and consider amendments read in full. Motion carried.

Be amended on page 2, section 2, subsection (1), line 9 of the bill approved by the Committee on Public Health, Welfare and Safety, after the word "who" by striking the word "maliciously", and

Further amend on page 2, section 2, subsection (1), lines 18 and 19 of the bill after the material "period of" by striking the material "[not less than one (1) year and]", and

Further amend on pages 2 and 3 starting with line 20 by striking all of subsection (2), subsection (3), subsection (4) and section 3 in their entirety, and

As so amended, be concurred in.

(Material in brackets denotes canceled type.)

SCOTT, Chairman

Report adopted.

February 10, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 271, respectfully report as follows: That House Bill No. 271 do not pass.

ULMER, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your special Committee on Long Range Building Program, having had under consideration Senate Bill No. 322, respectfully report as follows: That Senate Bill No. 322 be concurred in.

HIMSL, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 68, respectfully report as follows: That Senate Bill No. 68

Be amended on page 1, line 8, in the title of the original bill after the word "his" by striking the following material "head, chest, and back" and inserting in lieu thereof the following word "person", and

Be further amended on page 1, line 12, in the title of the original bill, after the word "action" by inserting the following material "and providing an effective date", and

Be further amended on page 1, section 1, subsection 1, line 20, after the word "state" by inserting the following material: "or to accompany any hunter as an outfitter or guide", and

Be further amended on page 1, section 1, subsection 1, line 22, after the word "wearing" by striking the following material: "[as an exterior garment]" and inserting in lieu thereof the following material: "as exterior garments", and

Be further amended on page 1, section 1, subsection 1, line 24, after the word "his" by striking the following material: "[head, chest, and back]" and inserting in lieu thereof the following word: "person", and

Be further amended on page 1 through and including page 2, section 1, subsection 2, line 28 through and including line 2, after the word "color" by striking the material contained therein in its entirety and inserting in lieu thereof the following punctuation ".", and

Be further amended on page 2, section 1, after the subsection 3, line 10, by inserting the following material: "(4) This act shall become effective May 1, 1972.", and

As amended, be concurred in.

E. SMITH, Chairman

(Material in brackets denotes canceled type.)

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 215, respectfully report as follows: That Senate Bill No. 215 be concurred in.

SWAN, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 302, respectfully report as follows: That Senate Bill No. 302 be concurred in.

SWAN, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 183, respectfully report as follows: That Senate Bill No. 183

Be amended on page 1, section 1, line 16 through and including line 25 by striking the figures in the column and inserting in lieu thereof the following figures:

\$25,000
\$24,000
\$22,500
\$19,000
\$15,000
\$17,500
\$14,000
\$15,000
\$15,000
\$11,500

And as amended, be concurred in.

SWAN, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 185, respectfully report as follows: That Senate Bill No. 185 be concurred in.

SWAN, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 180, respectfully report as follows: That Senate Bill No. 180

Be amended on page 2, section 2, line 25, after the word "agencies" by deleting the rest of the line and inserting in lieu thereof a period, and

Be further amended on page 2, section 2, line 26, by deleting the line in its entirety, and

As amended, be concurred in.

SWAN, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 213, respectfully report as follows: That Senate Bill No. 213 be concurred in.

SWAN, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 221, respectfully report as follows: That Senate Bill No. 221 be concurred in.

SWAN, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 15, respectfully report as follows: That Senate Joint Resolution No. 15 be concurred in.

SWAN, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 176, respectfully report as follows: That Senate Bill No. 176 be concurred in.

SWAN, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 250, respectfully report as follows: That Senate Bill No. 250 be concurred in.

WORDEN, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 9, respectfully report as follows: That Senate Joint Resolution No. 9

Be amended on page 1, line 8, of the original bill after the word "system" by inserting the following material: ", Community College System and Post Secondary Vocational Technical Centers", and

Be further amended on page 1, after line 18, by inserting the following two paragraphs:

"WHEREAS, the Community College system consists of three community college districts: Flathead Valley Community College, Dawson Community College, and Miles City Community College, and

WHEREAS, the post-secondary Vocational-Technical Center system consists of five (5) centers located at Billings, Butte, Great Falls, Helena and Missoula.", and

Be further amended on page 2, line 3, after the word "Montana" by striking the following material: "[university system]" and inserting in lieu thereof the following material: "higher educational systems", and

Be further amended on page 2, line 14, before the word "regents" by inserting the following material: "education and the", and

As amended, be concurred in.

(Material in brackets denotes canceled type.)

WARFIELD, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 18, respectfully report as follows: That Senate Joint Resolution No. 18 be concurred in.

WARFIELD, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration House Resolution No. 7, respectfully report as follows: That House Resolution No. 7 do not pass.

WARFIELD, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 142, respectfully report as follows: That Senate Bill No. 142

Be amended on page 1, section 1, subsection (b), lines 27 through 28, after the word "the" by striking the following material: "[total average number of students enrolled]" and inserting in lieu thereof the following material: "full time equivalent enrollment", and

As amended, be concurred in.

(Material in brackets denotes canceled type.)

WARFIELD, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 236, respectfully report as follows: That Senate Bill No. 236 be not concurred in.

WARFIELD, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 56, respectfully report as follows: That Senate Bill No. 56 be not concurred in.

WARFIELD, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 235, respectfully report as follows: That Senate Bill No. 235 be not concurred in.

WARFIELD, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 251, respectfully report as follows: That Senate Bill No. 251 be concurred in.

WARFIELD, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 47, respectfully report as follows: That Senate Bill No. 47 be concurred in.

KELLER, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 246, respectfully report as follows: That Senate Bill No. 246

Be amended on page 1, line 14 of the title, after the word "costs" by striking the punctuation "," presently therein and inserting the following new material: "and providing an effective date.", and

As amended, be concurred in.

KELLER, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 37, respectfully report as follows: That Senate Bill No. 37 be concurred in.

KELLER, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 18, respectfully report as follows: That Senate Bill No. 18 be not concurred in.

KELLER, Chairman

Keller moved for adoption of the committee report.

Giesick requested a roll call vote on the committee report. Sufficient seconds arose.

Giesick requested a Call of the House. Sufficient seconds did not arise. A Call of the House was not ordered.

The committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Baeth, Bennett, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marks, Mather, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 79.

Noes: Aspevig, Bradley, Campbell, Greely, Gunderson, Hall, Kolstad, McKittrick, Mehrens, Norman, Robbins, Swanberg, Towe, Yardley. Total 14.

Absent or not voting: Asbjornson, Bardanouve, Darrow, Fasbender, Kosen, Lien, Marbut, Menahan, Parrish, Shelden, Swan. Total 11.

Excused: None.

February 23, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 232, respectfully report as follows: That Senate Bill No. 232

Be amended in section 1, sub-section (10), page 5, line 10, by inserting the words and figures "eight (8) hours" after the word "exposed" and before the word "daily"; and

Further amend section 1, sub-section (10), page 5, line 10, by inserting the words and figures "of at least ninety (90) days" after the word "period" and before the word "as"; and

As amended, be concurred in.

KELLER, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 476, respectfully report as follows: That House Bill No. 476

Be amended on page 1, section 2 to be added as follows:

"Section 2. This appropriation shall be allotted and used on any project on which construction was initiated in this state after June 30, 1966."

Amend page 1, section 3 to be added as follows:

"Section 3. Any moneys appropriated in section 1 which are not encumbered by project boards by April 1, 1972, are hereby appropriated to the State Equalization Aid Account for distribution to the public schools.", and

As amended, do pass.

NICHOLS, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 609, respectfully report as follows: That House Bill No. 609

Be amended in the title, being page 1, line 11, by striking "board of regents" and inserting the following material: "Board of Examiners", and

Further amend page 1, section 3, line 28, by striking "board of regents" and inserting the following material: "board of examiners", and

As amended, do pass.

NICHOLS, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 23, 1971

Representative James Lucas
Speaker of the House
House of Representatives
State Capitol
Helena, Montana

Dear Speaker Lucas:

Please find enclosed House Bills Nos. 29 and 30 and an opinion by Senator Dick Dzivi, Senate Majority Floor Leader.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 22, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House bills, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 424, introduced by Haines and Mather
House Bill No. 52, introduced by Bardanouve, et al
House Bill No. 177, introduced by Campbell, et al
House Bill No. 234, introduced by Giesick, et al
House Bill No. 82, introduced by Zody, et al
House Bill No. 113, introduced by Christiansen and Ainsworth
House Bill No. 130, introduced by Campbell, et al
House Bill No. 13, introduced by Bardanouve, et al
House Bill No. 218, introduced by Himsl, Brown, and Schoonover
House Bill No. 220, introduced by Himsl, Brown, and Schoonover
House Bill No. 221, introduced by Himsl, Brown, and Schoonover
House Bill No. 175, introduced by Campbell, et al
House Bill No. 171, introduced by Brand, et al
House Bill No. 444, introduced by Glennen, Laas
House Bill No. 351, introduced by Gerke, et al
House Bill No. 205, introduced by Glennen, et al
House Bill No. 195, introduced by Lockrem, Dye and Laas
House Bill No. 189, introduced by Sverdsten and Swan
House Bill No. 174, introduced by Swan (by request)
House Bill No. 26, introduced by Aber, Dye and Swanberg
House Bill No. 255, introduced by Dye and Fasbender

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House bills were not concurred in and are herewith returned to the House.

House Bill No. 341, introduced by Patrick, et al
House Bill No. 342, introduced by Patrick, et al
House Bill No. 70, introduced by Selstad
House Bill No. 291, introduced by Schoonover
House Bill No. 358, introduced by Keller, et al
House Bill No. 503, introduced by Towe and Bennett

House Bill No. 224, introduced by Burnett, et al

House Bill No. 384, introduced by Lucas and Lanthorn

House Joint Resolution No. 10, introduced by Darrow, et al

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 22, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in, as amended, the following House bills, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate Amendments.

House Bill No. 430, introduced by Fagg and Patrick

House Bill No. 432, introduced by Fagg and Patrick

House Bill No. 104, introduced by Ulmer, et al

House Bill No. 166, introduced by Knudsen, et al

House Bill No. 299, introduced by Wolf and Dye

House Bill No. 93, introduced by Wolf and Laas

House Bill No. 254, introduced by Dye and Fasbender

House Joint Resolution No. 44, introduced by Lund, et al

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Resolution No. 16, introduced by Glennen, Christiansen: A Resolution of the House of Representatives of the State of Montana requesting that the Legislative Council study the Railroad Commission, ex officio the Public Service Commission, and submit a written report to the Forty-Third Legislative Assembly. Referred to Committee on Business and Industry.

House Resolution No. 17, introduced by Brown, Zimmer, Baeth, Patrick, Keller, Forester, J. Murphy, E. Smith, Aber, Bradley, Schoonover, Lundgren, Harper, Himsl: A Resolution of the House of Representatives of the State of Montana registering opposition to the proposed construction of an air facility near Glacier National Park which would be capable of accommodating the most modern type of aircraft. Referred to Committee on Business and Industry.

House Bill No. 611, introduced by Patrick, Lund: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations." Referred to Committee on Appropriations.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend Rules in order to reconsider action taken in amending House Bills Nos. 29 and 30. Motion carried.

Keller moved that Senate Bill No. 317 be taken from Committee on Public Health, Welfare and Safety and be referred to Committee on Appropriations. Motion carried.

Bennett, having voted on the prevailing side on the fiftieth legislative day in adopting an adverse committee report on Senate Bill No. 146, moved that the House reconsider its action. Motion failed.

REPORTS OF STANDING COMMITTEES

February 23, 1971

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 126, respectfully report as follows: That Senate Bill No. 126 be amended

Hemstad moved the House suspend Rules and consider the amendments read in full. Motion carried.

Amend section 4, page 1, line 30, following the word "act" by striking the word "less" and inserting in lieu thereof the word "unless".

Amend section 4, page 3, line 19, by striking the word and comma "rents,".

Amend section 4, subsection (13), page 4, line 4, following the word "instrument" by striking the word "of" and inserting in lieu thereof the word "or".

Amend section 4, subsection (13), page 4, line 7, by striking the following word: "pesticides", the words "when sold separately therefrom" and by inserting a period "." following the word "pesticides".

Amend section 4, subsection (28), page 8, line 12, following the words "taken by the" by striking the word "board" and inserting in lieu thereof the words "department of agriculture".

Amend section 5, page 10, line 12, following the word "pesticide" by striking the words "or device".

Amend section 5, subsection 1 (b), page 11, lines 16 through 20, following the word "act" by striking the following: "may, in the discretion of the department of agriculture, be exempt from the registration requirements under this act when sold or distributed in the unbroken immediate container in which it was originally shipped." and inserting in lieu thereof the words "shall be registered in the state, provided that the state may restrict the use and application of the pesticide by type of applicator, time and place and may establish special registrations of pesticides as outlined in sections 5 (6) and 22 (3)."

Amend section 5, subsection (6) (a), page 13, line 4 following the word "health" by inserting a comma and the word ", agriculture".

Amend section 5, subsection (6) (a), page 13, line 14, following the word "health" by inserting a comma and the word ", agriculture".

Amend section 5, subsection (6) (b), page 13, line 21, following the words "device if" by striking the word "either" and inserting in lieu thereof the word and figure "two (2)".

Amend section 5, subsection (6) (b), page 13, line 21 and line 22,

following the word "departments" by striking the words "of health or fish and game".

Amend section 5, subsection (6) (d), page 14, line 2, following the word "agriculture" by striking the word "may" and inserting in lieu thereof the word "shall".

Amend section 5, subsection (6) (d), page 14, line 3, following the word and numbers "section 28" by striking the words "and/or hold a public hearing".

Amend section 5, subsection (6) (d), page 14, line 4, following the word "resolve" by inserting the words "by majority vote".

Amend section 5, subsection (6) (d), page 14, line 5, following the words "recommendation on" by inserting the word "the".

Amend section 5, subsection (6) (d), line 6, page 14, following the words "shall be" by striking the words "presented to the agencies" and inserting in lieu thereof the following: "accepted by the agencies and implemented by the department of agriculture."

Amend section 5, subsection (6) (d) and (e) and (f), page 14, lines 6 through 21, by striking the following: "If the departments of health and fish and game agree with proposed recommendations of the advisory committee, the department of agriculture shall proceed with registration.

"(e) The department of agriculture shall issue a notice for public hearing as established in section 23 of the act. The three (3) agencies shall be represented at the hearing and the commissioner of the department of agriculture shall act as chairman. The advisory committee's recommendation shall be presented at the public hearing. Two (2) agencies shall constitute a quorum and shall render a decision on the proposed registration within ten (10) days following the public hearing.

"(f) Any labeling and/or registration under this act cannot supersede any labeling and/or registration promulgated under federal law."

Amend section 6, subsection (1) (d), page 16, line 17, following the word "that" by inserting the word "it".

Amend section 8, subsection (1) (b), page 17, line 29, following the word "section" by striking the figure "4" and inserting in lieu thereof the figure "5".

Amend section 8, subsection (2), page 18, line 17, following the word and comma "violation," by inserting the following: "if after thirty (30) days the violation has not been resolved,".

Amend section 8, subsection (2), page 18, line 18, following the word "he" by striking the word "shall" and inserting in lieu thereof the word "may".

Amend section 8, subsection (2), page 18, lines 22 and 23, by striking the words "or that the article may be altered to meet the registration requirements".

Amend section 9, page 19, lines 21 and 22, following the words "fee of" by striking the words and figures "twenty dollars (\$20)" and inserting in lieu thereof the words and figures "ten dollars (\$10.00)".

Amend section 9, page 20, lines 8 through 18, by striking out the words and numbers "(1) It shall be unlawful for any person to act as an employee of a pesticide applicator and apply pesticides manually, by aircraft, or as the operator directly in charge of any equipment for the application of any pesticides, without having obtained an annual operator's license

from the department of agriculture. Provided that section 10 (2) shall apply for aerial operators.

"(2) Application for a license to apply pesticides by aircraft, manually, and/or to operate ground apparatuses shall be accompanied by a license fee of ten dollars (\$10)." and inserting in lieu thereof the following: "The department of agriculture may establish procedures for controlling pesticide operators including necessary fees by regulation."

Amend section 13, page 21, line 14, following the words "fee of" by striking the words "twenty dollars (\$20)" and inserting in lieu thereof the words and figures "ten dollars (\$10)".

Amend section 16, page 22, line 16, following the word "which" by inserting the words "are restricted use".

Amend section 16, page 22, line 16, following the word "pesticides" by striking the words "are restricted".

Amend section 22, subsection (1), page 26, line 29, following the word "amended" by striking the comma "," and inserting a semicolon ";".

Amend section 22, subsection (2) (1), page 28, line 8, following the "(1)" by striking the word "Or" and inserting in lieu thereof the word "Of".

Amend section 22, subsection (2) (m), page 28, line 16, following the "(m)" by striking the word "Or" and inserting in lieu thereof the word "Of".

Amend section 22, subsection (2) (m), page 28, line 17, following the word "blends" by striking the words "including licensing and inspection of the blending plants" and substituting in lieu thereof the words "or in lieu of registration, establish licensing, inspection and fees for blending plants."

Amend section 22, subsection (2), page 28, following line 18, by inserting a new subsection as follows:

"(n) Of establishing registration procedures for devices with a fee not to exceed twenty dollars (\$20.00) per device, specifying classes of devices to be registered, and provide for additional requirements."

Amend section 22, subsection (4), page 29, line 9, following the words "that the" by striking the word "board" and inserting in lieu thereof the words "department of agriculture".

Amend section 22, subsection (4), page 29, line 12, following the words "pesticides, the" by striking the word "board" and inserting in lieu thereof the word "commissioner".

Amend section 22, subsection (5), page 29, line 30, following the words "made and" by striking the word "punished" and inserting in lieu thereof the word "published".

Amend section 28, subsection (1), page 34, line 25, following the word "personnel" by inserting commas and the following: ", university personnel not included,".

Amend section 28, subsection (1), page 34, line 26, following the word "committee" by striking the comma and words ", except as ex officio members" and inserting in lieu thereof the period "." and the following words: "Governmental personnel shall meet with the committee in an advisory capacity when requested by the committee."

Amend section 28, page 35, following line 9, by inserting a new subsection as follows:

"(3) The advisory committee may request that the department of agriculture hold a public hearing as outlined in section 23, to assist it in

gathering factual data and information on the special problem(s) assigned it."

And, as amended, be concurred in.

HEMSTAD, Chairman

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Parrish in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 164 be amended in section 3, page 3, line 2 of the original bill, being section 3, page 3, line 13 of the printed bill, by adding after the word "county" the following: "of the first class",

And further amend section 12 by striking out in line 16, page 13 Roman numeral XXVI and inserting in lieu thereof "XVI",

And further amend section 43, line 28, page 41 by deleting the word "not";

And further amend on page 41, line 30, after the word "serve" by deleting the balance of the rest of the line,

And further amend on page 42, line 1, by deleting the word "commission",

And further amend section 67, page 57, line 15 and 16 of the Senate committee approved bill by deleting section 67 in its entirety,

And be further amended in section 22, line 12, page 22 of the amended bill, after the word "all" by inserting "elected",

And be further amended in section 2, page 2, line 22, by striking the word "venue",

And be further amended in section 30, page 27, line 19, by striking the words "Judicial District" and insert in lieu thereof "county",

And be further amended in the title, line 8, by inserting after the word "county", the words "of the first class",

And as amended, be not concurred in.

That Senate Bill No. 194 be concurred in.

That Senate Bill No. 204 be amended in section 2, (2), line 3, page 2, following the word "ground" by inserting the words "or underground";

And be further amended in section 4, page 3, lines 12 and 13, by striking all of said lines;

And be further amended in section 4, page 3, line 14, by changing subsection "(d)" to become subsection "(c)";

And be further amended in section 4, page 3, by deleting all of lines 16, 17, 18, 19, 20 and 21;

And be further amended in section 4, page 3, line 22 by deleting the figure "(2)" and inserting in lieu thereof the figure "(1)";

And be further amended in section 4, page 3, line 25 by deleting the figure "(3)" and inserting in lieu thereof the figure "(2)";

And be further amended in section 4, page 3, line 28 by deleting the figure "(4)" and inserting in lieu thereof the figure "(3)";

And be further amended in section 4, page 4, line 2 by changing subsection "(e)" to become subsection "(d)";

And be further amended in section 5 (b), line 12, page 5, following the word "publication" by adding the following words: "once each week for three successive weeks";

And be further amended in section 5 (b), line 14, page 5, following the word "located" and before the period (.) by adding the following words: "and by mailing by registered mail a copy thereof to each owner or occupant of lands described in the application for a certificate";

And be further amended in section 5 (b), line 20, page 5, by striking the word "sufficient" and inserting in lieu thereof the word "a";

And be further amended in section 5 (b), line 20, page 5, by striking the letter "s" at the end of the word "protests";

And be further amended in section 5 (b), line 21, page 5, by changing the word "objections" to the word "objection" and further by striking the next word "are" and inserting in lieu thereof the word "is" and further by adding the word "any" following the word "by" and further by changing the word "parties" to become "party";

And be further amended in section 5 (b), line 23, page 5, by striking the word "first" and inserting in lieu thereof the word "last";

And be further amended in section 6, page 6, line 4, by striking the words and figures "sixty (60)" and inserting in lieu thereof the words and figures "ninety (90)" and further in line 4 following the word "filing" by adding the words "of the application";

And be further amended in section 6, page 6, lines 13 and 14, by striking the words and figures "three (3)" in each line;

And be further amended in section (b), page 6, line 23, following the word "event" by adding the word "an" and further by changing the word "obections" to "objection";

And be further amended in section 6 (b), page 6, line 30, by striking the words and figures "thirty (30)" and inserting in lieu thereof the words and figures "sixty (60)";

And be further amended in section 8 (4), page 7, line 13, by striking the words and figures "three (3)" following the word "The";

And be further amended in section 7 (b), page 7, beginning with the word "No" in line 22, by striking said word "No" and all of lines 23, 24, 25, 26 and 27;

And be further amended in section 8, page 8, line 2, following the period (.) by striking the remainder of the line 2, all of line 3 and line 4;

And be further amended in section 9 (3), page 8, line 17, by striking the words and figures "three (3)" following the word "the";

And be further amended in section 9 (6), page 9, line 2, by striking the remainder of line 2 following the word "agencies" and by striking in line 3 all the words up to the word "provided";

And be further amended in section 11, page 9, line 24, following the word "may" by striking the remainder of the line and by further striking all of lines 25, 26, and in line 27 through the word "may";

And be further amended in section 11, page 9, line 30, by striking the word "final";

And be further amended in section 11, page 10, line 3, by inserting following the word "it" the following punctuation and words: ", any exhibits,";

And be further amended in section 11, page 10, line 14, following the word "record" by adding the following: "unless the district judge requires additional testimony" and by striking the words "without requirement of reproduction";

And be further amended in section 12, page 11, line 10, by striking the figure "10" following the word "section" and inserting in lieu thereof the figure "11";

And be further amended in section 12, page 11, line 14, by adding a period (.) following the word "act" and striking the remainder of line 14 and striking all of lines 15, 16 and 17;

And be further amended in section 15, page 12, line 20, by striking the word "conclusive" and inserting in lieu thereof the words "prima facie";

And be further amended by adding a new section to be known as Section 16 beginning in line 26 on page 12 to read as follows:

"Section 16. Nothing in this act shall be construed to affect the applicability of air and water pollution standards adopted by the State Board of Health to electric generating plants."

And as amended, be concurred in.

That Senate Amendments to House Bill No. 42 be concurred in.

That Senate Bill No. 286 be concurred in.

That Senate Joint Resolution No. 26 be concurred in.

That Senate Bill No. 22 be moved to the top of the board.

That Senate Bill No. 22 be concurred in.

That Senate Bill No. 178 be concurred in.

That Senate Bill No. 247 be concurred in.

That Senate Bill No. 301 be amended in the title of the original bill on page 1, lines 4 through 9 by striking the material contained therein in its entirety and inserting in lieu thereof the following material: "A bill for an act entitled: "An act to require that the superintendent of public instruction shall coordinate educational television in the state, and providing for the appointment of an advisory committee", and

Be further amended on page 1, by striking sections 1 and 2 in their entirety, and

Be further amended on page 1, line 22, by striking all of the material contained therein in its entirety and inserting in lieu thereof the following material:

"Section 1. The superintendent of public instruction shall be the coordinator of educational television and"; and

Be further amended on page 2, lines 6 through 8, by striking section 4 in its entirety; and

Be further amended in subsequent sections to conform numerically; and

As amended, be concurred in.

That Senate Bill No. 234 be concurred in.

That Senate Bill No. 226 be concurred in.

That Senate Bill No. 171 be concurred in.

That Senate Bill No. 305 be passed to the bottom of the board.

That Senate Bill No. 170 be concurred in.

That Senate Bill No. 270 be amended in section 1, (c), of the House Committee on Judiciary amendments by striking in its entirety the last sentence thereof, beginning with the word "Any" and ending with the word "sentence"

And as amended, be concurred in.

That Senate Bill No. 92 be concurred in.

That Senate Bill No. 200 be passed for the day.

That Senate Bill No. 321 be amended in section 2, line 15, by deleting the words "In addition, an" and inserting in lieu thereof the word "An",

And be further amended by inserting at line 16, page 2, after the word "from" the words "and as a part of" and after the word "levy" the word "aforesaid",

And as amended, be concurred in.

That Senate Bill No. 279 be concurred in.

That the Committee rise and report.

PARRISH, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 23, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 54, respectfully report as follows: That Senate Bill No. 54 be amended

Wolf moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended on page 2, section 1, line 9, after subsection (e) by inserting the following new subsection "(f) 'Commission' means the Fish and Game Commission of the State of Montana.", and

Be further amended on page 5, line 18 of the amended bill, by striking all the material therein through and including line 24, and

Be further amended on page 9, line 30 of the amended bill, by striking all the material therein through and including line 8, page 10, and inserting in lieu thereof the following material:

"(3) Regulation of Snowmobile Noise. (a) Except as provided in this section, every snowmobile shall be equipped at all times with noise suppression devices, including an exhaust muffler, in good working order and in constant operation, adequate to comply with the specifications required by the rules and regulations; provided that the Commission may in

its discretion establish separate and different rules and regulations applicable to new snowmobiles sold after a date selected by the Commission, which shall not be later than June 30, 1972. In any event, from and after June 30, 1972, no new snowmobile, except snowmobiles designed for competition purposes only, shall be sold, or offered for sale, unless such vehicle is certified by the manufacturer as being able to conform with the sound level limitation of not more than eighty-five (85) decibels on scale "A" (dBA) at fifteen (15) feet. Sound pressure levels in decibels shall be measured on the "A" scale of a sound level meter having characteristics defined by American Standards Association S1, 4-1966 "General Purpose Sound Meter". Measurements shall be made in accordance with applicable practices outlined in the "Procedure for Sound Level Measurements of Snowmobiles" used by the International Snowmobile Industry Association (January, 1969), or with such other standards for measurement of sound level as the Commission may adopt.", and

(b) After a date selected by the Commission, but not later than June 30, 1972, no new snowmobile not equipped with noise suppression devices adequate to comply with the specifications required by the rules and regulations of the Commission or the specifications set forth in the preceding paragraph, whichever are more restrictive, shall be sold or offered for sale unless a separate placard, identifying that such snowmobile is not so equipped, is conspicuously and permanently affixed thereto.

(c) This section does not apply to organized races or similar competitive events held on (1) private lands, with the permission of the owner, lessee, or custodian of the land, or (2) public lands, with the consent of the public agency having the authority to grant such consent; provided, that total sound produced by such event shall not exceed the specifications required by the rules and regulations of the Commission after the effective date of the rules and regulations, and provided that, in any event, from and after June 30, 1971, total sound produced by such event shall not exceed fifty (50) decibels on scale "A" (dBA) at any point fifteen (15) feet or more outside the boundaries of the area designated for such event.", and

As amended, be concurred in.

WOLF, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 99, respectfully report as follows: That Senate Bill No. 99 be concurred in.

WOLF, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 248, respectfully report as follows: That Senate Bill No. 248 be concurred in.

WOLF, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 240, respectfully report as follows: That Senate Bill No. 240 be not concurred in.

WOLF, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 325, respectfully report as follows: That Senate Bill No. 325 be amended

Swan moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, section 1, line 18, after the word "advisable" through and including line 1 on page 3, by striking the material therein in its entirety and inserting in lieu thereof the following new material: "to wit. The salary of the state liquor administrator in a sum not exceeding twelve thousand seventy-five dollars (\$12,075) per year; the salary of the assistant state liquor administrator in a sum not exceeding ten thousand five hundred dollars (\$10,500) per annum; the salary of the supervisor of the accounting department not exceeding nine thousand four hundred fifty dollars (\$9,450) per annum; the salaries of the supervisors of the data processing department and the license department in a sum not exceeding eight thousand two hundred fifty dollars (\$8,250) per annum each; the salary of the supervisor of the warehouse department in a sum not exceeding seven thousand seven hundred dollars (\$7,700) per annum; the salaries of the purchasing agent, the traffic manager, the assistant supervisor of the data processing department, the assistant supervisor of the accounting department, store auditors and field inspectors in a sum not exceeding seven thousand two hundred sixty dollars (\$7,260) per annum each; the salary of a vendor of a "Class A" store in a sum not exceeding seven thousand two hundred sixty dollars (\$7,260) per annum; the salary of one (1) assistant vendor of a "Class A" store in a sum not exceeding six thousand six hundred dollars (\$6,600) per annum; the salary of any other employee of a "Class A" store in a sum not exceeding six thousand two hundred dollars (\$6,200) per annum; the salary of a vendor of a "Class B" store in a sum not exceeding six thousand three hundred fifty dollars (\$6,350) per annum; the salary of an assistant vendor and any other employee of a "Class B" store in a sum not exceeding five thousand two hundred fifteen dollars (\$5,215) per annum; the salary or compensation of a vendor of a "Class C" store in a sum not exceeding five thousand six hundred thirty-five dollars (\$5,635) per annum; the salary of an assistant vendor and any other employee of a "Class C" store in a sum not exceeding four thousand six hundred dollars (\$4,600) per annum; the salary of any other employee of the board in the sum not exceeding seven thousand two hundred fifty dollars (\$7,250) per year. The volume of the individual store sales shall be taken into consideration in fixing the salary of store vendors, assistant vendors and employees. The assistant state liquor administrator shall exercise such powers and perform such duties as the board may prescribe."

And as amended, be concurred in.

SWAN, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 54, 151, 154, 163, 192, 194, 260, 262, 308, 310, 370, 398, 508, 555, 152, House Joint Resolutions Nos. 32, 46.

BURNETT, Vice Chairman

MOTIONS AND RESOLUTIONS

Giesick moved that Senate Bill No. 126 be taken from Second Reading and be placed in the Appropriations Committee. Motion carried.

Keller moved that Senate Bill No. 305 be taken from Second Reading and be re-referred to Committee on Education. Motion carried.

Hemstad moved that Senate Bill No. 126, just moved to Appropriations Committee be returned to Second Reading. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee:

House Bill No. 612, introduced by Haines: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations." Referred to Committee on Appropriations.

Harrison moved that the House adjourn until 10:00 a.m., February 24, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FIFTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana

February 24, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Ellerd, Laas, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fifty-First Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

February 24, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 609, 476, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 23, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 296, 306, 324, 332, 347, 392, 394, 395, 448, 450, 489, 553, 566, 570, 596, House Joint Resolutions 2, 22, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 4:00 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

February 23, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 57, 59, 67, 86, 97, 105, 150, 153, 155, 188, 191, 210, 211, 250, 272, 275, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 4:00 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

I have examined House Bill No. 151, introduced by Judiciary Committee, and find the same to be correct.

SCOTT

I have examined House Bill No. 54, introduced by me, and find the same to be correct.

MATHER

I have examined House Bill No. 152, introduced by Judiciary Committee, and find the same to be correct.

SCOTT

I have examined House Bill No. 154, introduced by Judiciary Committee, and find the same to be correct.

SCOTT

I have examined House Bill No. 163, introduced by me, and find the same to be correct.

SCHOONOVER

I have examined House Bill No. 192, introduced by me, and find the same to be correct.

SVERDSTEN

I have examined House Bill No. 194, introduced by me, and find the same to be correct.

KOSENA

I have examined House Bill No. 260, introduced by me, and find the same to be correct.

KNUDSEN

I have examined House Bill No. 262, introduced by me, and find the same to be correct.

NICHOLS

I have examined House Bill No. 308, introduced by me, and find the same to be correct.

MARBUT

I have examined House Bill No. 310, introduced by me, and find the same to be correct.

MARBUT

I have examined House Bill No. 370, introduced by me, and find the same to be correct.

HARRISON

I have examined House Bill No. 398, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 508, introduced by me, and find the same to be correct.

BRAND

I have examined House Bill No. 555, introduced by me, and find the same to be correct.

E. SMITH

I have examined House Joint Resolution No. 32, introduced by me, and find the same to be correct.

JACKSON

I have examined House Joint Resolution No. 46, introduced by me, and find the same to be correct.

WEEDING

The Speaker signed the following Bills in open session: House Bills Nos. 262, 260, 194, 192, 163, 152, 151, 54, 398, 310, 308, 555, 508, 370, 154, House Joint Resolutions Nos. 46, 32.

February 24, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 132, respectfully report as follows: That Senate Bill No. 132 be not concurred in.

WORDEN, Chairman

Report adopted.

February 23, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 21, respectfully report as follows: That Senate Bill No. 21

Be amended on page 1, line 17, after the word "proceedings" in the title by inserting the following material: "to provide an effective date", and

As amended, be concurred in.

SWAN, Chairman

Report adopted.

February 22, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 184, respectfully report as follows: That Senate Bill No. 184 be not concurred in.

SWAN, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

February 23, 1971

Mr. President and Speaker of the House:

We, your joint Senate and House Conference Committee, having had under consideration House Committee of the Whole Amendments to Senate Bill No. 220, beg leave to report as follows:

That the House recede from its proposed Committee of the Whole Amendments on Senate Bill No. 220, dated February 16, 1971, and the Joint Conference Committee recommends the bill be amended as follows:

Amend section 1, subsection 2 (g), page 4, line 22 of the printed bill, after the figure "1947", by inserting the following words and punctuation: "that interest on said deposits shall not be less than the prevailing rate of interest being paid on deposits of private funds."

And further amend section 1, subsection 3 (a), page 5, line 20 of the printed bill, after the figure "1947" by inserting the following words and

punctuation: "that interest on said deposits shall not be less than the prevailing rate of interest being paid on deposits of private funds."

And further amend section 1, subsection 3 (b), page 6, line 6, of the printed bill, after the figure "1947" by inserting the following words and punctuation: "that interest on said deposits shall not be less than the prevailing rate of interest being paid on deposits of private funds."

That Senate Bill No. 220 be concurred in, as so amended.

For the House: Patrick

Bardanouve

Olson

For the Senate: Thiessen

Lynch

Turnage

The Conference Committee report on Senate Bill No. 220 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fabbender, Fitzgarrauld, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Brand, Burnett, Himsl, Kvaalen, McGrath, Robbins. Total 6.

Excused: Ellerd, Laas. Total 2.

MESSAGES FROM THE SENATE

February 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day authorized the President Pro Tem to appoint a Conference Committee to confer with a like committee from the House on Senate Amendments to House Bill No. 19.

The following Senators were appointed.

Senator Boylan, Chairman

Senator Sorensen

Senator Carl

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House Bills, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 551, introduced by Campbell
House Bill No. 401, introduced by Judiciary Committee
House Bill No. 55, introduced by Mather, Greely, McNamer
House Bill No. 199, introduced by Scott
House Bill No. 537, introduced by Hall
House Bill No. 38, introduced by Harrison
House Bill No. 118, introduced by Christiansen, et al
House Bill No. 213, introduced by Haines, et al
House Bill No. 214, introduced by Haines, et al
House Bill No. 215, introduced by Haines, et al
House Bill No. 216, introduced by Haines, et al
House Bill No. 217, introduced by Haines, et al
House Bill No. 438, introduced by Swanberg, et al
House Bill No. 96, introduced by Ulmer, et al
House Bill No. 478, introduced by Towe, et al
House Bill No. 417, introduced by Glennen, et al
House Bill No. 487, introduced by McKittrick, et al
House Joint Resolution No. 31, introduced by J. Murphy

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in, as amended, the following House bills, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 333, introduced by Kolstad, et al
House Bill No. 453, introduced by Towe, Brown, Greely
House Bill No. 374, introduced by Nelstead, Glennen, and Jackson
House Bill No. 412, introduced by Nichols and Fitzgarrald
House Bill No. 258, introduced by Ulmer and Scott
House Bill No. 589, introduced by Dye

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on Committee Reports recommended that the following House bills be not concurred in and the bills are herewith returned to the House.

House Bill No. 182, introduced by Darrow, et al

House Bill No. 516, introduced by Harrison and Scott

House Bill No. 514, introduced by Harrison and Scott

House Bill No. 512, introduced by Harrison and Scott

House Bill No. 517, introduced by Yardley

House Bill No. 362, introduced by Bennett, et al

House Bill No. 350, introduced by Haines, Lundgren and Bardanouve

House Bill No. 27, introduced by Swanberg, Healy and Wolf

House Bill No. 349, introduced by Haines, et al

House Bill No. 326, introduced by Harper, et al

House Bill No. 524, introduced by Marbut, et al

House Bill No. 484, introduced by Kvaalen, et al

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

MOTIONS AND RESOLUTIONS

McKittrick moved that Senate Bill No. 317 be taken from Committee on Appropriations and placed on Second Reading. Motion carried.

Haines, having voted on the prevailing side on the Fifty-First Legislative Day in adopting an adverse committee report on Senate Bill No. 169, moved that the House reconsider its action and place Senate Bill No. 169 on Second Reading. Motion carried.

Warfield, having voted on the prevailing side on the Fifty-First Legislative Day, moved that the House reconsider its action in adopting adverse committee reports on Senate Bills Nos. 56, 235, and 236 and re-refer them to the Committee on Education. Motion carried.

Keller moved that Senate Bill No. 37 be taken from Second Reading and be re-referred to Committee on Public Health, Welfare and Safety. Motion carried.

Harper, having voted on the prevailing side on the previous legislative day, moved that the House reconsider its action in adopting an adverse committee report on Senate Bill No. 132 and place it on Second Reading. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Johnston, Kendall, Knudsen, Kosena, Lanthorn, Lee, Lien, Lynch, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman,

Parrish, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmillier, Swanberg, Towe, Watt, Weeding, Zimmer, Zody. Total 44.

Noes: Aber, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Darrow, East, Fagg, Falkenstern, Fitzgarrald, Forester, Glennen, Haines, Harrison, Hemstad, Himsl, Jackson, Keller, Kolstad, Kvaalen, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Marks, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead. Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 45.

Absent or not voting: Ainsworth, Clemow, Cox, Dye, Eggebrecht, Giesick, McGrath, McNamer, Mather, Prevost, E. Smith, Warfield, Yardley. Total 13.

Excused: Ellerd, Laas. Total 2.

THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 22 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Greely, Hall, Perry, C. Smith, Swan, Wolf. Total 6.

Absent or not voting: Ainsworth, Bardanouve, Cox, Dye, Kosena, McGrath, Mather, Prevost. Total 8.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 92 was concurred in by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Baeth, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Devine, East, Edland, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Lanthorn, Lien, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Schoonover, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 66.

Noes: Anderson, Bardanouve, Bennett, Bradley, Darrow, Eggebrecht, Fاسبender, Hall, Harper, Healy, Knudsen, Kosena, Kvaalen, Lee, Lockrem, Lombardi, Lynch, McKittrick, Mehrens, Menahan, Parrish, Prevost, Quilici, Robbins, Scott, Swanberg, Towe, Yardley, Zimmer. Total 29.

Absent or not voting: Ainsworth, Cox, Dye, Greely, Harrison, McGrath, Mather. Total 7.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 117 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Baeth, Bardanouve,

Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Edland, Eggebrecht, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Spilde, Staigmillar, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 82.

Noes: Aspevig, East, Falkenstern, Glennen, Hemstad, Himsl, Kvaalen, Marks, Patrick, Perry, Selstad, C. Smith, Sverdsten, Ulmer, Whitney, Wolf. Total 16.

Absent or not voting: Cox, Dye, Lanthorn, McGrath. Total 4.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 144 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Hall, Perry, Selstad. Total 3.

Absent or not voting: Ainsworth, Dye, McGrath, Spilde. Total 4.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 170 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: McGrath. Total 1.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 171 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen,

Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 99.

Noes: McNamer. Total 1.

Absent or not voting: McGrath, Zimmer. Total 2.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 178 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Devine, East, Greely, Hall, Lundgren, Norman, Parrish, Perry, Schoonover, Swanberg, Towe, Ulmer, Wolf. Total 13.

Absent or not voting: Anderson, Lynch, McGrath. Total 3.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 194 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Menahan. Total 1.

Absent or not voting: McGrath. Total 1.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 195 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Ben-

nett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: Anderson, McGrath. Total 2.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 196 was concurred in by the following vote:

Ayes: Aber Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: Keller, McGrath, Shelden. Total 3.

Excused: Ellerd, Laas. Total 2.

Bardanouve moved that Senate Bill No. 204 be taken from Third Reading and be referred to Committee on Environment and Resources and requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Perry moved the previous question. Motion carried.

The motion to refer Senate Bill No. 204 to committee carried by the following vote:

Ayes: Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Clemow, Cox, Darrow, Devine, Edland, Fagg, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Hodges, Johnston, Knudsen, Kosena, Kvaalen, Lien, Lund, Lynch, McKittrick, McNamer, Marbut, Marks, Menahan, T. Murphy, Norman, Olson, Parrish, Prevost, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Yardley, Zimmer, Zody. Total 51.

Noes: Aber, Anderson, Asbjornson, Bennett, Burnett, Campbell, Christiansen, East, Eggebrecht, Ellerd, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Keller, Kolstad, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Mather, Mehrens, J. Murphy, Nichols, Patrick, Perry, Nelstead, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Whitney, Wolf, Worden, Mr. Speaker. Total 48.

Absent or not voting: Ainsworth, Dye, Kendall, McGrath. Total 4.

Excused: Laas. Total 1.

Pairs: Fasbender, Aye; Ellerd, No.

Senate Bill No. 225 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greeley, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 89.

Noes: Cox, Lockrem, Mather, Parrish, Scott. Total 5.

Absent or not voting: Dye, East, Forester, Kendall, McGrath, J. Murphy, Robbins, Whitney. Total 8.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 226 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greeley, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Brand, Hemstad, C. Smith, Whitney. Total 4.

Absent or not voting: Dye, Johnston, Kendall, McGrath, J. Murphy, Schoonover, Wolf. Total 7.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 234 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greeley, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 89.

Noes: East, Edland, Knudsen, Lien, Lund, Watt, Weeding. Total 7.

Absent or not voting: Dye, Kendall, McGrath, J. Murphy, Schoonover, Whitney. Total 6.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 242 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Brand, Harper, Marks. Total 3.

Absent or not voting: Dye, McGrath, J. Murphy. Total 3.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 247 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Gerke, Giesick, Glennen, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, E. Smith, Snortland, Spilde, Swan, Towe, Weeding, Whitney, Worden, Yardley, Zimmer, Zody. Total 74.

Noes: Anderson, Asbjornson, Cox, East, Fitzgarrald, Forester, Greely, Gunderson, Hall, Keller, Knudsen, Marks, T. Murphy, Nichols, Parrish, Perry, Schoonover, Shelden, C. Smith, Staigmilller, Sverdsten, Swanberg, Ulmer, Watt, Wolf, Mr. Speaker. Total 26.

Absent or not voting: McGrath, Warfield. Total 2.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 258 was concurred in by the following vote:

Ayes: Ainsworth, Asbornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Cox, Devine, Edland, Eggebrecht, Fagg, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, E. Smith, Staigmilller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 74.

Noes: Aber, Anderson, Burnett, Clemow, Darrow, Dye, East, Falkenstern, Fitzgarrald, Gunderson, Hemstad, Keller, Lockwood, McNamer, Nichols, Selstad, Shelden, E. Smith, Snortland, Spilde, Sverdsten, Swan, Whitney, Yardley. Total 24.

Absent or not voting: Harrison, Lombardi, McGrath, Olson. Total 4.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 270 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Fasbender, Fitzgarrald, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kundsén, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Staigmillér, Sverdstén, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 85.

Noes: Ainsworth, Campbell, Falkenstein, Forester, Giesick, Lien, Lockrem, Marks, Mather, Olson, Selstad, C. Smith, Spilde, Whitney. Total 14.

Absent or not voting: Bardanouve, Harrison, McGrath. Total 3.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 279 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bardanouve, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Falkenstein, Fasbender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lien, Lockwood, Lund, Lundgren, McKittrick, McNamer, Marbut, Marks, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Prevost, Robbins, Scott, Selstad, Shelden, E. Smith, Staigmillér, Sverdstén, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 78.

Noes: Baeth, Bennett, Campbell, Cox, Fitzgarrald, Forester, Harper, Healy, Lee, Lockrem, Lombardi, Lynch, Mather, Menahan, Perry, Nelstead, Quilici, C. Smith, Snortland, Spilde. Total 20.

Absent or not voting: Fagg, Harrison, McGrath, Schoonover. Total 4.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 286 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstein, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillér, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Harrison, McGrath, Robbins, Sverdsten, Swan, Warfield. Total 6.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 288 was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Asbornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Aber, Aspevig, Burnett, Hemstad, Perry, Selstad, Sverdsten, Wolf. Total 8.

Absent or not voting: Harrison, McGrath. Total 2.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 294 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Zody, Mr. Speaker. Total 92.

Noes: Dye, Forester, Lockrem, Wolf, Yardley. Total 5.

Absent or not voting: Harrison, McGrath, Sverdsten, Swan, Zimmer. Total 5.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 301 was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kvaalen, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 81.

Noes: Aber, Asbjornson, Burnett, Clemow, Fitzgarrald, Forester,

Giesick, Hemstad, Johnston, Kosena, Lockrem, Marks, Nichols, Patrick, Snortland, Sverdsten, Wolf, Zimmer. Total 18.

Absent or not voting: Brown, Harrison, McGrath. Total 3.

Excused: Ellerd, Laas. Total 2.

Senate Bill No. 321 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Lien, Lockrem, Lockwood, Lund, Lundgren, McKittrick, McNamer, Marbut, Marks, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Robbins, Schoonover, Scott, Shelden, E. Smith, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 78.

Noes: Asbjornson, Dye, Harper, Harrison, Hemstad, Keller, Kvaalen, Lanthorn, Lee, Lombardi, Lynch, Mather, Mehrens, Menahan, Olson, Patrick, Prevost, Quilici, Selstad, C. Smith, Snortland, Swan, Ulmer. Total 23.

Absent or not voting: McGrath. Total 1.

Excused: Ellerd, Laas. Total 2.

Senate Joint Resolution No. 26 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Staigmiller, Swan, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 83.

Noes: Ainsworth, Campbell, Kvaalen, Lockrem, Mather, Olson, Patrick, Prevost, C. Smith, Spilde, Yardley. Total 11.

Absent or not voting: Bennett, Fasbender, Keller, Lundgren, McGrath, Selstad, Sverdsten, Warfield. Total 8.

Excused: Ellerd, Laas. Total 2.

Senate Amendments to House Bill No. 42 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller,

Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Whitney. Total 1.

Absent or not voting Fasbender, Fitzgarraird, Gerke, Haines, Lockwood, McGrath, Shelden, Ulmer. Total 8.

Excused: Ellerd, Laas. Total 2.

Senate Amendments to House Bill No. 399 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarraird, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McKit-trick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: None.

Absent or not voting: Gerke, Giesick, Lundgren, McGrath, J. Murphy, Shelden, Sverdsten. Total 7.

Excused: Ellerd, Laas. Total 2.

Senate Amendments to House Bill No. 475 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarraird, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoon-over, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Brown, Gerke, Giesick, Harrison, Lundgren, McGrath, Shelden, Sverdsten, Swan, Whitney. Total 10.

Excused: Ellerd, Laas. Total 2.

Senate Amendments to House Bill No. 520 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fas-bender, Fitzgarraird, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lock-

rem, Lockwood, Lombardi, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Brown, Clemow, Gerke, Giesick, Harrison, Lund, Lundgren, McGrath, McNamer, Shelden, Swan. Total 11.

Excused: Ellerd, Laas. Total 2.

Senate Amendments to House Bill No. 60 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Brown, FitzgarraId, Gerke, Giesick, Lockrem, Lundgren, McGrath, McNamer, Perry, Shelden, Sverdsten, Swan, Yardley. Total 13.

Excused: Ellerd, Laas. Total 2.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and eliminate the need of reading the history of bills on Second Reading this day. Motion carried.

Lund moved that the House reconsider its action in referring Senate Bill No. 204 back to committee.

Hall moved that the House lay on the table the motion to reconsider referring Senate Bill No. 204 back to the Committee on Environment and Resources.

The Speaker ruled that the motion to lay on the table does not affect the merits of the bill or further consideration of the measure by the committee or by the legislature.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Greely in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 200 be concurred in.

That Senate Bill No. 252 be concurred in.

That Senate Bill No. 65 be amended in section 1, subsection 7, line 5, by striking the word "same" and inserting in lieu thereof the word "next", and

Be further amended in section 8, page 9, subsection (g) by deleting subsection (g) in its entirety, and

Be further amended on page 8, line 6 by inserting a period after the word "commission" and striking the remainder of the sentence, and

Be amended further on page 8, lines 5 and 6 by striking the words "or upon approval of" and inserting in lieu thereof the words "unless the residency requirement is waived by the", and

As amended, be concurred in.

That Senate Joint Resolution No. 22 be concurred in.

That Senate Bill No. 70 be amended, page 11, line 23 by deleting after the word "exceed" the words and figures "two and one-half cents (2 1/2¢)" and inserting in lieu thereof the words and figures "one cent (1¢)", and

Be further amended on page 12, lines 6 and 7, after the word "exceed" by deleting the words and figures "two and one-half cents (2 1/2¢)" and inserting in lieu thereof the following words and figure "one cent (1¢)", and

As amended, be concurred in.

That Senate Amendments to House Bill No. 106 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 259 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 497 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 11 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 61 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 201 be moved to the bottom of the board.

That Senate Bill No. 291 be not concurred in.

That Senate Bill No. 155 be concurred in.

That Senate Amendments to House Joint Resolution No. 6 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 149 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 66 be moved to the bottom of the board.

That Senate amendments to House Bill No. 190 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 355 be moved to the bottom of the board.

That Senate Bill No. 273 be not concurred in.

That Senate Bill No. 199 be concurred in.

That Senate Bill No. 43 be concurred in.

That Senate Bill No. 156 be concurred in.

That Senate Bill No. 159 be concurred in.

That Senate Bill No. 282 be amended in section 2, page 2, line 22, of the amended bill after the word "of" by striking the word and figures "fifty (50)" and inserting in lieu thereof the word and figures "one hundred (100)", and

As amended, be concurred in.

That Senate Joint Resolution No. 27 be concurred in.

That Senate Joint Resolution No. 24 be concurred in.

That Senate Bill No. 231 be concurred in.

That Senate Bill No. 175 be concurred in.

That Senate Bill No. 212 be concurred in.

That Senate Bill No. 290 be concurred in.

That Senate Bill No. 203 be concurred in.

That Senate Bill No. 296 be concurred in.

That Senate Bill No. 12 be concurred in.

That Senate Bill No. 14 be amended in section 1, page 1, line 16, following the word "tractors" by inserting the following new material: "or registered or unregistered, licensed or unlicensed vehicles", and

Further amend in section 1, page 2, line 12 following the word and punctuation "refund." by deleting the following material: "Such further information pertaining to such claim shall be furnished as required by the board, provided that mileages of vehicles, where not verifiable by mechanical recorders, may be estimated by the applicant under regulations adopted by the board.", and

As amended, be concurred in.

That Senate Bill No. 34 be concurred in.

That House Bill No. 305 do not pass.

That Senate Bill No. 229 be amended on page 2, line 16 of the printed bill by inserting following the figures "(75%)" the words "nor more than ninety per cent (90%)", and

As amended, be concurred in.

That Senate Bill No. 325 be concurred in.

That Senate Bill No. 54 be concurred in.

That Senate Bill No. 99 be passed for the day.

That Senate Bill No. 248 be concurred in.

That Senate Amendments to House Bill No. 430 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 432 be moved to the bottom of the board.

That Senate Amendment to House Bill No. 104 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 166 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 299 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 93 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 254 be moved to the bottom of the board.

That Senate Amendments to House Joint Resolution No. 44 be moved to the bottom of the board.

That Senate Bill No. 302 be concurred in.

That Senate Bill No. 215 be concurred in.

That Senate Bill No. 295 be moved to the bottom of the board.

That Senate Bill No. 322 be concurred in.

That Senate Bill No. 185 be concurred in.

That Senate Joint Resolution No. 15 be concurred in.

That Senate Bill No. 221 be moved to the bottom of the board.

That Senate Bill No. 213 be concurred in.

That Senate Bill No. 176 be moved to the bottom of the board.

That Senate Bill No. 250 be moved to the bottom of the board.

That Senate Joint Resolution No. 18 be concurred in.

That Senate Bill No. 251 be concurred in.

That Senate Bill No. 47 be concurred in.

That Senate Bill No. 246 be concurred in.

That Senate Bill No. 24 be concurred in.

That Senate Bill No. 183 be concurred in.

That Senate Bill No. 180 be concurred in.

That Senate Bill No. 142 be concurred in.

That Senate Bill No. 232 be concurred in.

That Senate Bill No. 68 be amended in section 1, page 1, line 27 of the approved printed bill by inserting after the word and punctuation "Hunter" the words "or Blaze",

And be further amended in the title, line 8 by inserting after the word "Hunter" the words "or Blaze", and

Be further amended in the title, line 11 by inserting after the word "Hunter" by inserting the words "or Blaze", and

As amended, be concurred in.

That Senate Joint Resolution No. 9 be amended on page 1, line 8, of the title of the original bill after the word "Montana" by striking the word "University" and inserting in lieu thereof the following word: "Educational", and

Be further amended on page 1, after line 18, by inserting the following paragraph:

"WHEREAS, private educational institutions contribute to the total educational experience in the state, consideration should be given to their programs and curriculum on a cooperative basis, and", and

Be further amended on page 1, line 21 through 22, by striking the following word: "university" and inserting in lieu thereof the following word: "educational", and

Be further amended on page 1, lines 23 through 29, by striking the material contained therein and inserting in lieu thereof the following material:

"WHEREAS, there is need to study the programs and offerings of each of the four (4) systems cited above to establish guidelines to provide future development of education beyond the secondary level.", and

As amended, be concurred in.

That Senate Bill No. 126 be passed for the day.

That Senate Bill No. 317 be passed for the day.

That House Bill No. 609 do pass.

That House Bill No. 476 do pass.

That Senate Bill No. 250 be passed for the day.

That Senate Bill No. 295 be amended, section 2, page 2, line 8 of the bill after the word "used" by inserting the following word: "exclusively", and

Be further amended in section 1, page 2, line 14 after the word "acres" by adding the following material: "and shall not have changed ownership in the previous five (5) years", and

As amended, be not concurred in.

That Senate Bill No. 169 be concurred in.

That Senate Bill No. 221 be concurred in.

That Senate Bill No. 176 be not concurred in.

That the Committee rise and report.

GREELY, Chairman

Hall moved that the House suspend the Rules and consider all amendments on Committee of the Whole report read in full. Motion carried.

Greely moved for adoption of the Committee of the Whole report.

As a substitute motion, Ulmer moved that Senate Bill No. 70 be segregated from the Committee of the Whole report. Motion was withdrawn.

Towe made a substitute motion that Senate Bill No. 273 be segregated from the Committee of the Whole report. Motion failed.

Fasbender made a substitute motion that House Bill No. 305 be segre-

gated from the Committee of the Whole report and, as amended, the Committee of the Whole report be adopted.

Giesick moved the previous question. Motion carried.

The substitute motion failed to pass.

The Committee of the Whole report was thereupon adopted.

STANDING COMMITTEE REPORTS

February 24, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 4, 6, 71, 14, 180, 242, 309, 396, 452, 505, 518, House Joint Resolutions Nos. 14, 34.

MARKS, Chairman

February 24, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 13, 26, 38, 52, 82, 130, 174, 189, 175, 218, 220, 221, 255, 352, 424, 444, 575, 171, 572, House Joint Resolution No. 1.

MARKS, Chairman

February 24, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 147, respectfully report as follows: That Senate Bill No. 147 be amended

Swan moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended on page 4, Section 14, line 22 through page 5, line 16, by deleting all of section 14 and inserting in lieu thereof the following new section 14:

"Section 14. In carrying out the provisions of this act: (1) The department shall: (a) Encourage and exercise leadership in the development of effective personnel administration within the several agencies in the state, and make available the facilities of the department to this end.

(b) Foster and develop programs for the improvement of employee effectiveness including training, safety, health, counseling and welfare.

(c) Investigate from time to time the operation and effect of this law and the policies made thereunder and report the findings and recommendations to the governor.

(d) Establish policies, procedures and forms for the maintenance of records of all employees in the state service.

(e) Apply and carry out this act and the policies thereunder, and perform any other lawful acts which may be necessary or desirable to carry out the purposes and provisions of this act.

(2) The department may delegate authority granted the department under this act to agencies in the state service that effectively demonstrate the ability to carry out the provisions of this act, provided that such agencies remain in compliance with policies, procedure, time tables and standards established by the department. (a) Authority to develop a personnel system shall be delegated to the state board of education, ex

officio regents of the Montana university system, provided that the personnel system is designed in accordance with provisions of this act and the policies of the department.

(3) On recommendation of the governor, the department shall issue personnel policies for the state. Adequate public notice shall be given to all interested parties of proposed changes or additions to the personnel policies prior to the time they are to take effect. If requested by any of the affected parties, the department shall schedule a public hearing on proposed changes or additions to the personnel policies prior to the time they are to take effect.

(4) The department shall provide for the preparation, maintenance and revision of a position classification plan for positions in the state service. Any employee affected by the allocation or reallocation of a position to a class shall, after filing with the department a written request for reconsideration thereof in such manner and form as the department may prescribe, be given a reasonable opportunity to be heard thereon by an ad hoc board appointed by the department. The board shall be composed of members who have recognized competence in employee management relations and shall be representative of the several agencies of the state service. The board will submit its recommendations to the department.”, and

As amended, be concurred in.

SWAN, Chairman

Report adopted.

February 24, 1971

Mr. Speaker: We, your committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 174, respectfully report as follows: That Senate Bill No. 174

Be amended on page 4, line 24, section 6, by striking all of section 6 (a) in its entirety, through line 30, and

Be further amended on page 5, section 6 (b), lines 1 through 3 by striking the material therein in its entirety, and

Be further amended on page 4, line 24, by adding a new section as follows:

“Section 6. The provisions of subsection (a) of section 4 shall not apply to a medical practitioner as to any interest which he owns as set forth in said subsection on the effective date of this act, provided that transfer of this interest to another person shall result in immediate termination of such exemption.”, and

As amended, be concurred in.

KELLER, Chairman

Report adopted.

February 24, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 114, respectfully report as follows: That Senate Bill No. 114

Be amended on page 2, subsection (2), lines 21 and 22, after the word and punctuation “houses,” by striking the following words: “public health centers”,

And further amend section 1, subsection (10), page 4, line 22, after the words “excess of” and before the word “except” on line 23 by striking the material therein in its entirety and inserting the following new material:

"fifty thousand dollars (\$50,000) for a hospital facility of 150 beds or more, thirty thousand dollars (\$30,000) for a hospital facility of less than 150 beds for a facility fiscal year, twenty-five thousand dollars (\$25,000) for a long-term care facility of 150 beds or more, and twenty thousand dollars (\$20,000) for a long-term care facility of less than 150 beds for a facility fiscal year,"

And be further amended on page 4, section 1, subsection (10), line 24, by inserting the following new material: "(a) Included in the above limits would be the purchase value of leased equipment.",

And as amended, be concurred in.

KELLER, Chairman

Report adopted.

February 24, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 209, respectfully report as follows: That Senate Bill No. 209

Be amended on page 3, subsection (3), line 15, after the word "act" by reinserting the stricken material "[from performing any work for remuneration or profit]" and on line 16

And as amended, be concurred in.

"[Material in brackets denotes cancelled type.]"

KELLER, Chairman

Report adopted.

I have examined House Joint Resolution No. 1, introduced by me, and find the same to be correct.

SCHOONOVER

I have examined House Bill No. 572, introduced by me, and find the same to be correct.

BARDANOUE

I have examined House Bill No. 171, introduced by me, and find the same to be correct.

BRAND

I have examined House Bill No. 575, introduced by me, and find the same to be correct.

NICHOLS

I have examined House Bill No. 444, introduced by me, and find the same to be correct.

GLENNEN

I have examined House Bill No. 424, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 352, introduced by me, and find the same to be correct.

NELSTEAD

I have examined House Bill No. 255 introduced by me, and find the same to be correct.

DYE

I have examined House Bill No. 221, introduced by me, and find the same to be correct.

HIMSL

I have examined House Bill No. 220, introduced by me, and find the same to be correct.

HIMSL

I have examined House Bill No. 218, introduced by me, and find the same to be correct.

HIMSL

I have examined House Bill No. 175, introduced by me, and find the same to be correct.

CAMPBELL

I have examined House Bill No. 189, introduced by me, and find the same to be correct.

SVERDSTEN

I have examined House Bill No. 174, introduced by me, and find the same to be correct.

SWAN

I have examined House Bill No. 130, introduced by me, and find the same to be correct.

CAMPBELL

I have examined House Bill No. 82, introduced by me, and find the same to be correct.

ZODY

I have examined House Bill No. 52, introduced by me, and find the same to be correct.

BARDANOUE

I have examined House Bill No. 38, introduced by me, and find the same to be correct.

HARRISON

I have examined House Bill No. 26, introduced by me, and find the same to be correct.

ABER

I have examined House Bill No. 13, introduced by me, and find the same to be correct.

BARDANOUE

I have examined House Joint Resolution No. 34, introduced by me, and find the same to be correct.

KNUDSEN

I have examined House Joint Resolution No. 14, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 518, introduced by me, and find the same to be correct.

DYE

I have examined House Bill No. 505, introduced by me, and find the same to be correct.

LUCAS

I have examined House Bill No. 452, introduced by me, and find the same to be correct.

TOWE

I have examined House Bill No. 396, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 309, introduced by me, and find the same to be correct.

MARBUT

I have examined House Bill No. 242, introduced by me, and find the same to be correct.

GUNDERSON

I have examined House Bill No. 180, introduced by me, and find the same to be correct.

J. MURPHY

I have examined House Bill No. 14, introduced by me, and find the same to be correct.

ROBBINS

I have examined House Bill No. 71, introduced by me, and find the same to be correct.

BURNETT

I have examined House Bill No. 6, introduced by me, and find the same to be correct.

SCOTT

I have examined House Bill No. 4, introduced by me, and find the same to be correct.

KVAALEN

The Speaker signed the following bills in open session: House Bills Nos. 13, 26, 38, 52, 82, 130, 174, 189, 175, 218, 220, 221, 255, 352, 424, 444, 575, 171, 572, House Joint Resolutions Nos. 1, 14, 34, House Bills Nos. 4, 6, 71, 14, 180, 242, 309, 396, 452, 505, 518, and Senate Bills Nos. 91, 173, 119, 206, 61, 60, 115, 23, 189, 110, 157, 28, 45, Senate Joint Resolution Nos. 13, 5, 6, 2, 3, 29, Senate Bills Nos. 140, 245, 254, 42, 198, 121, 108, 107, 106, 167, 46, 83, 328, 127, 201, 30, 39, 40, 81, 134, 214, 64, 244, 272, 339, 77, 304, 120, and 166.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow consideration, transmittal and amendments regarding Reapportionment through the fifty-sixth legislative day. Motion carried.

MESSAGES FROM THE SENATE

February 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day requests the return of House Bill No. 517 for further consideration.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate suspended Joint Rule 5-4 and requests the House to return House Bills Nos. 29 and 30 for further consideration.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House accede to the request of the Senate for the return of House Bills Nos. 517, 29 and 30. Motion carried.

Harrison moved that the House adjourn until 1:00 p.m., February 25, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FIFTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana

February 25, 1971

House convened, pursuant to adjournment, at 1:00 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Ainsworth, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fifty-Second Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

February 25, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 609, 476.

MARKS, Chairman

February 25, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 54, 192, 151, 152, 154, 163, 194, 260, 262, 308, 310, 370, 398, 508, 555, House Joint Resolutions Nos. 32, 46, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 4:45 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

February 25, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House employees be removed from the payroll effective February 24, 1971:

Steno
Doorkeeper
Multilith Clerk

Sue Wertz
Malcolm Orser
Darlene Lamping

And further recommend that the following be added to the payroll effective February 25, 1971:

Page
Doorkeeper

Pam Duncan
David W. Larimer

And further recommend that James P. Lucas, Speaker of the House of Representatives, Forty-Second Legislative Assembly, be given round trip mileage at 9c per mile to return to Helena for the purpose of signing the Journal.

SPILDE, Chairman

Report adopted.

February 25, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration Senate Bill No. 204, respectfully report as follows: That Senate Bill No. 204 be amended

Senate Bill No. 204 as approved by the Committee on Agriculture (Senate) and the House Committee of the Whole 2/23/71 be amended as follows:

In Section 7, page 7, line 3 by striking the words: "Whenever the commission shall determine that" and inserting in lieu thereof the word "When" and be further amended in line 4 by striking the word "required" and inserting in lieu thereof the word "held"

And be further amended in Section 9, page 8, line 18 by inserting the following before the word "considering": "other evidence produced at the public hearing if one is held and"

And be further amended in Section 11, page 9, line 22, by striking the word and punctuation "rehearing—" and changing the small "j" in the word "judicial" to a capital "J"

And be further amended in Section 11 (b), page 10, lines 15 and 16 by striking the following words: "in his application for rehearing before the commission"

And be further amended in Section 13, page 11, line 28 following the word "facility" change the period (.) to a semicolon (;) and add the following words: "and provided further, that nothing herein shall be construed to prevent the application of air and water pollution control standards and regulations adopted by the State Board of Health to construction or operation of electric generating plants, as such regulations and standards now exist or are amended, promulgated or repealed from time to time, whether before or after a certificate has been issued pursuant to this act."

And be further amended by striking all of Section 16.

And, as amended, without recommendation.

LUNDGREN, Chairman

Lundgren moved for adoption of the committee report.

As a substitute motion, Selstad moved that Senate Bill No. 204 be placed on Second Reading.

As a substitute motion for all motions pending, Bardanouve moved that Senate Bill No. 204 be not concurred in, and requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion for all motions pending failed to pass by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Bradley, Brand, Darrow, Edland, Eggebrecht, Fagg, Fasbender, Fitzgarrald, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Hodges, Johnston, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lien, Lund, McKittrick, Marbut, Marks, T. Murphy, Norman, Olson, Parrish, Nelstead, Prevost, Robbins, Schoonover, Scott, C. Smith, Staigmiller, Swanberg, Towe, Warfield, Watt, Yardley, Zimmer, Zody. Total 48.

Noes: Aber, Anderson, Aspevig, Bennett, Burnett, Campbell, Christian, Clemow, Cox, Dye, East, Ellerd, Falkenstern, Forester, Giesick, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Keller, Kolstad, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McNamer, Mather, Mehrens, Menahan, J. Murphy, Nichols, Perry, Quilici, Selstad, Shelden, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Weeding, Whitney, Wolf, Worden, Mr. Speaker. Total 52.

Absent or not voting: Brown, Devine, Patrick. Total 3.

Excused: Ainsworth. Total 1.

The substitute motion carried.

February 25, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 305, respectfully report as follows: That Senate Bill No. 305 be concurred in.

WARFIELD, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 24, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I this day signed House Bill No. 596.

Sincerely,

THOMAS L. JUDGE
Acting Governor

MESSAGES FROM THE SENATE

February 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the Joint Conference Committee

report on Senate Bill No. 220 and the report is herewith transmitted to the House.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did not concur in House Bill No. 368 and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and the following Senate Bills are being returned for further consideration.

Senate Bill No. 169

Senate Bill No. 56

Senate Bill No. 235

Senate Bill No. 236

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President Pro Tem to appoint a Free Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 568.

The President appointed the following:

Senator Sheehy—Chairman

Senator Hafferman

Senator Deschamps

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President Pro Tem to appoint a Free Conference Committee to meet with

a like committee of the House to confer on Senate Amendments to House Bill No. 315.

The President appointed the following:

Senator Siderius—Chairman

Senator Hafferman

Senator Turnage

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House bills, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 204, introduced by Glennen, et al

House Bill No. 348, introduced by Patrick, Towe, and Healy

House Bill No. 390, introduced by Laas, Wolf, and Lien

House Bill No. 273, introduced by Gunderson, et al

House Bill No. 364, introduced by Keller and Patrick

House Bill No. 363, introduced by Keller, et al

House Bill No. 466, introduced by Brown, et al

House Bill No. 481, introduced by Bardanouve, et al

House Bill No. 541, introduced by Scott and Bennett

House Bill No. 556, introduced by Lucas, et al

House Bill No. 160, introduced by Knudsen, Kosena, and Edland

House Bill No. 137, introduced by Ulmer, Dye, and Robbins

House Bill No. 410, introduced by Hall

House Bill No. 31, introduced by Lucas, Hall, and Greely

House Bill No. 373, introduced by Nelstead, Glennen, and Jackson

House Bill No. 437, introduced by Mather

House Joint Resolution No. 39, introduced by Brown, et al

House Joint Resolution No. 50, introduced by Knudsen, et al

House Joint Resolution No. 23, introduced by Kendall, et al

House Joint Resolution No. 12, introduced by Schoonover et al

House Joint Resolution No. 43, introduced by Kosena, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in, as amended, the following House bills, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate Amendments.

House Bill No. 15, introduced by Robbins, et al
House Bill No. 203, introduced by Campbell, et al
House Bill No. 361, introduced by Dye, et al
House Bill No. 144, introduced by Fasbender and Hemstad
House Bill No. 143, introduced by Nichols and Fasbender
House Bill No. 142, introduced by Christiansen, et al
House Bill No. 141, introduced by Christiansen, Nichols, and Marks
House Bill No. 140, introduced by Christiansen and Swan
House Bill No. 531, introduced by Giesick and Towe
House Bill No. 169, introduced by Scott
House Bill No. 293, introduced by Greely and Dye
House Bill No. 426, introduced by J. Murphy
House Bill No. 429, introduced by Mather and Scott
House Bill No. 482, introduced by Dye, et al
House Bill No. 316, introduced by Darrow, et al
House Bill No. 112, introduced by Bradley, et al
House Bill No. 34, introduced by Marks, et al
House Joint Resolution No. 9, introduced by Forester, et al
House Joint Resolution No. 33, introduced by Knudsen, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on the Committee of the Whole recommended that the following House bills be Indefinitely Postponed, report adopted, and the bills are herewith returned to the House.

House Bill No. 331, introduced by Lund, et al
House Bill No. 335, introduced by Zimmer, Schoonover and Keller

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

House Bill No. 613, introduced by Asbjornson, Spilde, Aspevig: A bill for an act entitled: "An act to appropriate monies to the units of the Montana University System, the Agricultural Experiment Station, the Cooperative Extension Service, the Western Interstate Commission for Higher Education, the office of the Executive Secretary of the Montana University System and the School for the Deaf and Blind, State Superintendent of Public Instruction, including the funding of the Foundation Program, the Board of Education, and Vocational Education, for personal services, operation, and capital expenditures for the biennium ending June 30, 1973." Referred to Committee on Appropriations.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, were disposed of in the following manner:

Senate Bill No. 12 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Devine, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasnider, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gundersen, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Darrow, Dye, Fagg, Haines, Keller, Patrick, Prevost. Total 7.

Excused: Ainsworth. Total 1.

Ulmer moved that Senate Bill No. 14 be taken from Third Reading and placed in Second Reading. Motion withdrawn.

Senate Bill No. 14 failed to be concurred in by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Burnett, Clemow, Edland, Eggebrecht, Falkenstern, Fitzgarrald, Fleming, Giesick, Hemstad, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lien, Lund, McNamer, Marbut, Marks, T. Murphy, Nichols, Norman, Olson, Parrish, Prevost, Quilici, Robbins, Schoonover, Sheldon, C. Smith, Snortland, Spilde, Staigmiller, Swan, Towe, Weeding, Whitney, Zimmer, Zody. Total 49.

Noes: Aber, Bennett, Brown, Campbell, Christiansen, Cox, Darrow, Devine, East, Ellerd, Fagg, Fasnider, Forester, Gerke, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Keller, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, Mather, Mehrens, Menahan, J. Murphy, Perry, Nelstead, Scott, Selstad, E. Smith, Sverdsten, Swanberg, Ulmer, Warfield, Watt, Wolf, Worden, Yardley, Mr. Speaker. Total 51.

Absent or not voting: Dye, Gunderson, Patrick. Total 3.

Excused: Ainsworth. Total 1.

Senate Bill No. 24 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Dye, Hemstad, Lynch, Patrick, Perry. Total 5.

Excused: Ainsworth. Total 1.

Senate Bill No. 34 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Ulmer, Watt, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 86.

Noes: Bennett, Bradley, Clemow, Forester, Greely, Marbut, Marks, Mather, Parrish, Scott, Swanberg, Towe, Warfield, Yardley, Zimmer. Total 15.

Absent or not voting: Dye, Patrick. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 43 failed to be concurred in by the following vote:

Ayes: Bardanouve, Bradley, Fasbender, Forester, Gerke, Giesick, Gunderson, Haines, Hall, Himsl, Jackson, Johnston, Kolstad, Kvaalen, Lien, Lockwood, McKittrick, Menahan, J. Murphy, Norman, Sverdsten, Towe, Zimmer, Mr. Speaker. Total 24.

Noes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Glennen, Greely, Harper, Harrison, Healy, Hemstad, Hodges, Keller, Kendall, Knudsen, Kosena, Laas, Lanthorn, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, T. Murphy, Nichols, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zody. Total 77.

Absent or not voting: Patrick, Watt. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 47 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: Harrison. Total 1.

Absent or not voting: Patrick. Total 1.

Excused: Ainsworth. Total 1.

Senate Bill No. 54 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Brand, Edland, Forester, Glennen, Hemstad, Johnston, Knudsen, Marbut, Mehrens, Menahan, Perry, Prevost, Snortland. Total 13.

Absent or not voting: Patrick, Spilde. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 65 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Dye, East, Edland, Fagg, Falkenstern, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Kolstad, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, Lynch, McNamer, Marbut, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Quilici, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 70.

Noes: Aspevig, Bardanouve, Cox, Devine, Eggebrecht, Fasbender, Forester, Greely, Gunderson, Hall, Hodges, Knudsen, Kvaalen, Lee, Lien, Lombardi, McGrath, McKittrick, Marks, Mehrens, Menahan, Perry, Prevost, Robbins, C. Smith, Spilde, Staigmilller, Swanberg, Wolf, Zimmer. Total 30.

Absent or not voting: Ellerd, Kosena, Patrick. Total 3.

Excused: Ainsworth. Total 1.

Senate Bill No. 68 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Falkenstern, Fleming, Gerke, Glennen, Greely, Haines, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lockrem, Lund, Lundgren, McKittrick, Mather, J. Murphy, T. Murphy, Norman, Olson, Parrish, Nelstead, Robbins, Schoonover, Selstad, Shelden, E. Smith, Snortland, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Zimmer, Mr. Speaker. Total 61.

Noes: Brown, Campbell, Darrow, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Forester, Giesick, Gunderson, Hall, Harper, Healy, Hodges, Knudsen, Kvaalen, Lee, Lien, Lockwood, Lombardi, Lynch, McGrath, McNamer, Marbut, Marks, Mehrens, Menahan, Nichols, Perry, Prevost, Quilici, Scott, C. Smith, Spilde, Staigmillar, Sverdsten, Swan, Wolf, Yardley. Total 40.

Absent or not voting: Harrison, Patrick. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 70 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Glennen, Greely, Haines, Hall, Harper, Healy, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Staigmillar, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zody, Mr. Speaker. Total 79.

Noes: Clemow, Ellerd, Fitzgarrald, Giesick, Gunderson, Harrison, Hemstad, Himsl, Knudsen, Laas, Lien, McGrath, Marbut, Olson, Selstad, Spilde, Sverdsten, Ulmer, Whitney, Wolf, Zimmer. Total 21.

Absent or not voting: Marks, Mehrens, Patrick. Total 3.

Excused: Ainsworth. Total 1.

Senate Bill No. 142 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Spilde, Staigmillar, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Brown, Hemstad, Keller, McGrath, Olson, C. Smith, Snortland, Sverdsten, Swan, Wolf. Total 10.

Absent or not voting: Giesick, J. Murphy, Patrick. Total 3.

Excused: Ainsworth. Total 1.

Senate Bill No. 155 was concurred in by the following vote:

Ayes: Anderson, Asbjornson, Baeth, Bennett, Bradley, Brown, Campbell, Cox, Darrow, Devine, Dye, Edland, Fagg, Falkenstern, Fashbender, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Hall, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, T. Murphy, Norman, Olson, Parrish, Nelstead, Robbins, Schoonover, Scott, Shelden, E. Smith, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Worden, Yardley, Zody, Mr. Speaker. Total 64.

Noes: Aber, Aspevig, Bardanouve, Brand, Burnett, Christiansen, Clemow, East, Eggebrecht, Ellerd, Fitzgarrald, Greely, Harper, Hemstad, Johnston, Keller, Kvaalen, Laas, Lanthorn, Lynch, Mehrens, Menahan, J. Murphy, Nichols, Perry, Prevost, Quilici, Selstad, C. Smith, Snortland, Spilde, Staigmillar, Swan, Watt, Weeding, Whitney, Wolf, Zimmer. Total 38.

Absent or not voting: Patrick. Total 1.

Excused: Ainsworth. Total 1.

Senate Bill No. 156 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fashbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: Falkenstern, Patrick. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 159 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Fashbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zody, Mr. Speaker. Total 88.

Noes: East, Ellerd, Fitzgarrald, Jackson, Lund, Marks, T. Murphy, Schoonover, C. Smith, Sverdsten, Whitney, Wolf, Zimmer. Total 13.

Absent or not voting: Falkenstern, Patrick. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 169 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Bennett, Brandley, Brand, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lathorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mather Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Yardley, Zody, Mr. Speaker. Total 73.

Noes: Aber, Anderson, Asbjornson, Aspevig, Brown, Burnett, Campbell, East, Falkenstern, Fitzgarrald, Hemstad, Himsl, Kendall, McNamer, Marks, Nichols, Olson, Perry, Selstad, C. Smith, E. Smith, Sverdsten, Ulmer, Whitney, Wolf, Worden, Zimmer. Total 27.

Absent or not voting: Ellerd, Lundgren, Patrick. Total 3.

Excused: Ainsworth. Total 1.

Senate Bill No. 175 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: Marks, Spilde. Total 2.

Absent or not voting: Falkenstern, Lundgren, Patrick. Total 3.

Excused: Ainsworth. Total 1.

Senate Bill No. 180 was concurred in by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Anderson, Brand, Forester, Hemstad, McNamer, Menahan, Olson, C. Smith, Swan. Total 9.

Absent or not voting: Falkenstern, Lundgren, Patrick, Sverdsten. Total 4.

Excused: Ainsworth. Total 1.

Burnett moved that Senate Bill No. 183 be amended on page 1, section 1, lines 16 through and including line 25 by striking the figures in the column and inserting in lieu thereof the following figures:

“[\$25,000]	”\$25,000
[\$24,000]	\$24,000
[\$22,500]	\$22,500
[\$19,000]	\$19,000
[\$15,000]	\$15,000
[\$17,500]	\$15,000
[\$14,000]	\$14,000
[\$15,000]	\$15,000
[\$15,000]	\$15,000
[\$11,000]”	\$11,500”

Giesick moved the previous question. Motion carried. Motion by Burnett failed.

Senate Bill No. 183 was concurred in by the following vote:

Ayes: Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Sox, Darrow, Devine, Dye, Edland, Eggebrecht, Falkenstern, Fasbender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, J. Murphy, Norman, Parrish, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Staigmillier, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zody, Mr. Speaker. Total 71.

Noes: Aber, Aspevig, Brand, Burnett, East, Fagg, Fitzgarrald, Giesick, Hemstad, Knudsen, Kolstad, Lund, McNamer, Marks, T. Murphy, Nichols, Olson, Perry, Prevost, C. Smith, E. Smith, Snortland, Spilde, Swan, Ulmer, Whitney, Wolf. Total 27.

Absent or not voting: Ellerd, Lundgren, Mather, Patrick, Zimmer. Total 5.

Excused: Ainsworth. Total 1.

Senate Bill No. 185 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: Patrick. Total 1.

Excused: Ainsworth. Total 1.

Senate Bill No. 199 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: T. Murphy, Prevost. Total 2.

Absent or not voting: Patrick, Robbins. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 200 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, Nichols, Norman, Parrish, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, Snortland, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 82.

Noes: Burnett, Forester, Gunderson, Harrison, Hemstad, Himsl, Kendall, Kvaalen, Lockwood, McNamer, Mather, T. Murphy, Olson, Perry, Schoonover, C. Smith, E. Smith, Spilde, Staigmilller, Whitney. Total 20.

Absent or not voting: Patrick. Total 1.

Excused: Ainsworth. Total 1.

Senate Bill No. 203 was concurred in by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Aber, Burnett, East, C. Smith, Whitney. Total 5.

Absent or not voting: Dye, Patrick, Perry, Sverdsten. Total 4.

Excused: Ainsworth. Total 1.

Senate Bill No. 212 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Brand, Forester, Gunderson, Marbut, Staigmillier. Total 5.

Absent or not voting: Patrick, Sverdsten. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 213 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting: Olson, Patrick. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 215 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Mabut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Brand, Harper, Jackson, Lockrem, Olson. Total 5.

Absent or not voting: Patrick, Sverdsten. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 221 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: Patrick. Total 1.

Excused: Ainsworth. Total 1.

Senate Bill No. 229 was concurred in by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: Aber, Burnett. Total 2.

Absent or not voting: Patrick, Perry. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 231 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: None.

Absent or not voting Patrick, Perry. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 232 was concurred in by the following vote:

Ayes: Aber, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Perry, Nelstead, Robbins, Schoonover, Scott, Shelden, E. Smith, Staigmiller, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zody, Mr. Speaker. Total 76.

Noes: Anderson, Asbjornson, Burnett, Campbell, East, Ellerd, Fitzgarrald, Forester, Hemstad, Himsl, Kolstad, Kvaalen, Nichols, Olson, Prevost, Selstad, C. Smith, Snortland, Swan, Ulmer, Whitney, Wolf, Zimmer. Total 23.

Absent or not voting: Patrick, Quilici, Spilde, Sverdsten. Total 4.

Excused: Ainsworth. Total 1.

Senate Bill No. 246 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: Patrick. Total 1.

Excused: Ainsworth. Total 1.

Senate Bill No. 248 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Kendall, Kolstad, T. Murphy, Schoonover, Scott, Shelden, Weeding. Total 7.

Absent or not voting: Nichols, Patrick. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 251 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: Patrick. Total 1.

Excused: Ainsworth. Total 1.

Senate Bill No. 252 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 101.

Noes: McKittrick. Total 1.

Absent or not voting: Patrick. Total 1.

Excused: Ainsworth. Total 1.

Senate Bill No. 282 was concurred in by the following vote:

Ayes: Aber, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kosena, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 85.

Noes: Anderson, Aspevig, Clemow, Forester, Giesick, Jackson, Kolstad, Kvaalen, Laas, Lockrem, J. Murphy, Nichols, Prevost, Snortland, Whitney, Wolf. Total 16.

Absent or not voting: Patrick, Sverdsten. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 290 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: East, T. Murphy, Whitney, Wolf. Total 4.

Absent or not voting: Olson, Sverdsten. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 296 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fasbender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 87.

Noes: East, Fagg, Falkenstern, Fitzgarrald, Forester, Hemstad, Marks, Mather, Menahan, J. Murphy, Nichols, C. Smith, Ulmer, Whitney, Zimmer. Total 15.

Absent or not voting: Staigmiller. Total 1.

Excused: Ainsworth. Total 1.

Senate Bill No. 302 was concurred in by the following vote:

Ayes: Aber, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Christiansen, Darrow, Devine, Dye, Edland, Fagg, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, Norman, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 61.

Noes: Anderson, Asbjornson, Brand, Brown, Burnett, Campbell, Clemow, Cox, East, Eggebrecht, Ellerd, Fitzgarrald, Forester, Giesick, Glennen, Haines, Hemstad, Keller, Kvaalen, Lien, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, T. Murphy, Nichols, Olson, Prevost, Selstad, C. Smith, E. Smith, Snortland, Sverdsten, Swan, Ulmer, Whitney, Wolf. Total 40.

Absent or not voting: Falkenstern, Spilde. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 322 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 100.

Noes: Marks. Total 1.

Absent or not voting: Nichols, Whitney. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 325 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Spilde, Staigmillier, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 87.

Noes: Brown, Burnett, Cox, Ellerd, Harper, Hemstad, Himsl, Keller, Nichols, Selstad, C. Smith, Sverdsten, Whitney, Wolf. Total 14.

Absent or not voting: Lundgren, Mather. Total 2.

Excused: Ainsworth. Total 1.

Senate Joint Resolution No. 9 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Christiansen, Forester, Lockwood, Nichols, Worden. Total 5.

Absent or not voting: Falkenstern, Fitzgarrald. Total 2.

Excused: Ainsworth. Total 1.

Senate Joint Resolution No. 15 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 102.

Noes: None.

Absent or not voting: Falkenstern. Total 1.

Excused: Ainsworth. Total 1.

Senate Joint Resolution No. 18 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, East, Edland, Eggebrecht, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Haines, Harper, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 79.

Noes: Brand, Devine, Dye, Fasbender, Greely, Gunderson, Hall, Harrison, Healy, Knudsen, Norman, Parrish, Schoonover, Shelden, Staigmiller, Sverdsten, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer. Total 22.

Absent or not voting: Ellerd, McGrath. Total 2.

Excused: Ainsworth. Total 1.

Senate Joint Resolution No. 22 was concurred in by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, East, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McKittrick, Marbut, Mather, Mehrens, Menahan, T. Murphy, Norman, Olson, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Spilde, Staigmiller, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 76.

Noes: Anderson, Brand, Brown, Clemow, Edland, Eggebrecht, Greely, Gunderson, Hemstad, Kvaalen, Lockrem, Lundgren, McGrath, McNamer, Marks, J. Murphy, Nichols, Parrish, Patrick, Perry, Selstad, C. Smith, E. Smith, Sverdsten, Swan, Ulmer. Total 26.

Absent or not voting: Dye. Total 1.

Excused: Ainsworth. Total 1.

Senate Joint Resolution No. 24 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Fitzgarrald, Haines, Kvaalen, McNamer, Marks, J. Murphy, T. Murphy, Prevost, Staigmilller, Ulmer, Wolf. Total 11.

Absent or not voting: None.

Excused: Ainsworth. Total 1.

Senate Joint Resolution No. 27 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Himsl, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, Nichols, Norman, Olson, Parrish, Nelstead, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Swan, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 67.

Noes: Aspevig, Campbell, Clemow, Dye, Falkenstern, Fitzgarrald, Forester, Harrison, Hemstad, Hodges, Jackson, Keller, Kvaalen, Lanthorn, Lockrem, McNamer, Marks, Mather, T. Murphy, Perry, Prevost, Scott, Selstad, E. Smith, Snortland, Spilde, Sverdsten, Swanberg, Whitney, Wolf. Total 30.

Absent or not voting: East, Lundgren, J. Murphy, Patrick, C. Smith, Ulmer. Total 6.

Excused: Ainsworth. Total 1.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 609 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Brand, Schoonover. Total 2.

Absent or not voting: Laas, Lundgren, J. Murphy, C. Smith, Ulmer, Watt. Total 6.

Excused: Ainsworth. Total 1.

House Bill No. 476 was passed by the following vote:

Ayes: Aber, Anderson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, Edland, Ellerd, Fagg, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Keller, Kolstad, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Scott, Selstad, Sheldon, E. Smith, Snortland, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 72.

Noes: Asbjornson, Bardanouve, Brand, Clemow, East, Eggebrecht, Falkenstern, Fitzgarrald, Hemstad, Jackson, Johnston, Kendall, Knudsen, Kosena, Kvaalen, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Prevost, Schoonover, C. Smith, Spilde, Staigmiller, Weeding, Whitney, Wolf. Total 29.

Absent or not voting: Harrison, Lundgren. Total 2.

Excused: Ainsworth. Total 1.

MESSAGES FROM THE SENATE

February 25, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in, as amended, House Bills Nos. 29 and 30, and the bills are herewith returned to the House for their concurrence.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

E. Smith, having voted on the prevailing side in defeating Senate Bill No. 14 on Third Reading this day, moved that the House reconsider its action. Motion carried.

Brand, having voted on the prevailing side in adopting an adverse committee report on Senate Bill No. 184 on the previous legislative day, moved that the House reconsider its action. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Anderson, Baeth, Bennett, Bradley, Brand, Christiansen, Cox, Devine, Fasbender, Gerke, Greely, Hall, Harper, Harrison, Healy, Keller, Kolstad, Laas, Lee, Lockwood, Lombardi, Lynch, McGrath, McKittrick, Mather, Mehrens, Menahan, J. Murphy, Parrish, Perry, Quilici, Robbins, Scott, Selstad, Sheldon, Staigmiller, Swanberg, Towe, Weeding, Wolf, Yardley, Zody, Mr. Speaker. Total 43.

Noes: Aber, Asbjornson, Aspevig, Brown, Burnett, Campbell, Clemow, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Gunderson, Haines, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Lanthorn, Lien, Lockrem, Lund, McNamer, Marbut, Marks, T. Murphy, Nichols, Olson, Prevost, Schoonover, C. Smith, E. Smith, Snortland, Sverdsten, Swan, Ulmer, Warfield, Watt, Whitney, Worden. Total 51.

Absent or not voting: Bardanouve, Darrow, Kvaalen, Lundgren, Norman, Patrick, Nelstead, Spilde, Zimmer. Total 9.

Excused: Ainsworth. Total 1.

Swanberg, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse Committee of the Whole report on House Bill No. 305 on the previous legislative day. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Nichols moved the previous question. Motion carried.

The motion failed to carry by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Christiansen, Devine, East, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Himsl, Hodges, Johnston, Keller, Kosena, Lien, Lynch, McKittrick, McNamer, Mather, Menahan, T. Murphy, Norman, Parrish, Prevost, Schoonover, Scott, Shelden, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Zody. Total 47.

Noes: Asbjornson, Bennett, Burnett, Campbell, Clemow, Cox, Darrow, Dye, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harper, Harrison, Healy, Hemstad, Jackson, Knudsen, Kolstad, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, Marbut, Mehrens, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Wolf, Worden, Zimmer, Mr. Speaker. Total 51.

Absent or not voting: Aber, Kendall, Kvaalen, Marks, Robbins. Total 5.

Excused: Ainsworth. Total 1.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 99 be placed at the bottom of the Board.

That Senate Bill No. 126 be amended on page 11, line 25 of the amended bill, before the word "for" by striking the words and figures "[twenty dollars (\$20)]" and inserting in lieu thereof the words and figures "five dollars (\$5)"

And be further amended on page 13, line 22 of the amended bill after the word "game" by striking the word "[disapproves]" and inserting in lieu thereof the word "approves"

And be further amended on page 13, line 22 of the amended bill after the word "registration" by inserting the following new material and punctuation: ", the commissioner shall proceed with the registration"

And be further amended on page 21, line 8 of the amended bill before the word "supervision" by striking the words "[immediate daily]"

And be further amended on page 21, line 10 of the amended bill after the word "shall" by striking the words "[also register with]" and inserting in lieu thereof the word "furnish"

And be further amended on page 28, by amending the amendment that inserts the new subsection "(n)" by striking the word and figures "[twenty dollars (\$20)]" and inserting in lieu thereof the words and figures "five dollars (\$5)"

And be further amended on page 28, by amending the amendment that inserts the new subsection "(n)" after the word "per" by inserting the words "type of"

And, as amended, be passed to the bottom of the Board.

That Senate Bill No. 317 be amended on page 1, line 9 of the title of the bill, after the word "persons" by adding the following new material: ", and amending section 71-508 R.C.M., 1947"

And, as amended, be not concurred in.

That Senate Bill No. 250 be amended after section 3, page 9, starting on line 5 by adding the following new material: "Section 4. The provisions of this act shall be administered and enforced by the State Department of Lands and Investments. The Commissioner of Lands and Investments, with the advice and consent of the appeals board shall determine the necessary rules and regulations necessary to enforce the provisions of this act."

And, as amended, be concurred in.

"[Material in brackets denotes cancelled type.]"

That Senate Bill No. 14 be amended in Section 1, page 1, line 16 following the word "tractors" by deleting the words "[or registered or unregistered, licensed or unlicensed vehicles]", and

Further amend Section 1, page 2, line 12 following the word and punctuation "refund." by inserting the following material: "Such further information pertaining to such claim shall be furnished as required by the board, provided that mileages of vehicles, where not verifiable by mechanical recorders, may be estimated by the applicant under regulations adopted by the board.", and

Further amend Section 1, page 2, line 16 following the word and punctuation "board." by adding the following new material: "Such regulations adopted by the board may include provisions for refunding taxes on gasoline used by licensed commercial vehicles off the highway."

And, as amended, be concurred in.

"[Material in brackets denotes cancelled type.]"

That Senate Bill No. 21 be concurred in.

That Senate Bill No. 209 be concurred in.

That Senate Bill No. 114 be moved to the bottom of the list.

That Senate Bill No. 174 be moved to the bottom of the list.

That Senate Bill No. 147 be amended after "1947" by adding the following new material: ", and providing an effective date."

And, as amended, be concurred in.

That Senate Bill No. 204 be concurred in.

That Senate Bill No. 305 be concurred in.

That Senate Bill No. 99 be amended by adding Section 2, line 13 as follows: "If this act is declared to be unconstitutional by the Supreme Court of the State of Montana, such salaries shall be paid from the General Fund of the State of Montana.",

And, as amended, be concurred in.

That Senate Bill No. 126 be amended further in Section 34, following

subsection (3), page 37, line 11, following the word "writing" by striking the period "." and inserting in lieu thereof a semicolon and the following language: "; nor is any part of this act to be construed to apply to common carriers transporting shipments tendered to them by the general public."

And, as amended, be concurred in.

That Senate Bill No. 114 be not concurred in.

That Senate Bill No. 174 be concurred in.

That the Committee rise and report, and beg leave to sit again.

COX, Chairman

Cox moved for adoption of the Committee of the Whole report.

Hall made a substitute motion that Senate Bill No. 317 be segregated from the Committee of the Whole report and, as amended, the report be adopted. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 317 be amended on page 1, line 9 of the title of the bill, after the word "persons" by adding the following new material: "and amending section 71-508 R.C.M., 1947, and providing effective dates of this act."

And be further amended on page 2, following line 13, by adding the following new section: "Section 2. Section 71-508 R.C.M., 1947, as amended, is hereby amended to read as follows: 71-508. County Share of Participation. Each county department shall reimburse the state department in the amount of one-third (1/3) of the approved aid to dependent children grants exclusive of the federal share, provided, however, whenever the state appropriation to fund the state's share of the grants, to families with unemployed fathers who are honestly and responsibly seeking employment, is insufficient to fully fund the state's share of such grants and such funding, if any, has been depleted, then the county, if any, which would be responsible for extending aid to dependent children to such families, shall reimburse the state department in the full amount granted to such family, exclusive of the federal share and exclusive of any costs to the state for participation by any such family in any and all federal or state work incentive programs and retraining programs and exclusive of any costs to the state for any such payments made to persons for whom the state is responsible. The state department, on receiving any appropriation for funding the unemployed father families payments, shall allocate such funds for such program so that it may be determined when, if at all, such funds as are appropriated for such program are depleted."

And be further amended by adding two new sections following Section 2 of the bill, as previously amended, reading as follows:

"Section 3. The provisions of this act shall be effective only in those years in which the state of Montana shall receive in excess of four hundred thousand dollars (\$400,000) federal funds designated for the specific purpose of funding this act.

"Section 4. This act shall be effective July 1, 1972."

And, as amended, be concurred in.

That the Committee rise and report.

COX, Chairman

Hall moved that the Rules be suspended and that the amendments be considered read in full. Motion carried.

Report adopted.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, were disposed of in the following manner:

Senate Bill No. 250 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Himsl, Jackson, Johnston, Kendall, Kolstad, Kosena, Laas, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Mather, J. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Quilici, Schoonover, Scott, Shelden, E. Smith, Snortland, Swan, Swanberg, Towe, Ulmer, Warfield, Weeding, Worden, Yardley, Zody, Mr. Speaker. Total 70.

Noes: Bardanouve, Brand, Campbell, Fitzgarrald, Fleming, Forester, Gerke, Hemstad, Hodges, Keller, Knudsen, Kvaalen, Lanthorn, Lien, Marbut, Marks, Mehrens, Menahan, Nichols, Patrick, Prevost, Robbins, Selstad, C. Smith, Sverdsten, Watt, Wolf. Total 27.

Absent or not voting: Hall, T. Murphy, Spilde, Staigmiller, Whitney, Zimmer. Total 6.

Excused: Ainsworth. Total 1.

Senate Bill No. 14 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Edland, Eggebrecht, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Gerke, Giesick, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 88.

Noes: Brown, Devine, Dye, East, Forester, Glennen, Harrison, Keller, Lockrem, Scott, Sverdsten. Total 11.

Absent or not voting: Ellerd, T. Murphy, Staigmiller, Zimmer. Total 4.

Excused: Ainsworth. Total 1.

Senate Bill No. 21 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Ben-

nett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: T. Murphy, Staigmiller, Zimmer. Total 3.

Excused: Ainsworth. Total 1.

Senate Bill No. 209 was concurred in by the following vote:

Ayes: Aber, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Cox, Devine, Edland, Eggebrecht, Fagg, Fasbender, Fleming, Gerke, Giesick, Greely, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, J. Murphy, Norman, Parrish, Patrick, Perry, Prevost, Quilici, Robbins, Schoonover, Shelden, E. Smith, Snortland, Sverdsten, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 69.

Noes: Asbjornson, Campbell, Clemow, Darrow, Dye, East, Ellerd, Falkenstern, Fitzgarrald, Forester, Glennen, Harrison, Hemstad, Keller, Kvaalen, Lanthorn, Lockrem, Lockwood, McNamer, Marks, Mather, Nichols, Olson, Nelstead, Scott, Selstad, C. Smith, Spilde, Swan, Ulmer, Whitney, Wolf. Total 32.

Absent or not voting: T. Murphy, Staigmiller. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 147 was concurred in by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Bardanouve, Bennett, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harrison, Himsl, Johnston, Kolstad, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lund, Lundgren, McNamer, Marks, J. Murphy, Nichols, Norman, Olson, Patrick, Perry, Nelstead, Schoonover, Scott, Snortland, Spilde, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Mr. Speaker. Total 60.

Noes: Aber, Baeth, Bradley, Brand, Burnett, Eggebrecht, Fasbender, Forester, Gunderson, Harper, Healy, Hemstad, Hodges, Jackson, Keller, Kendall, Knudsen, Kosena, Lee, Lockrem, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, Parrish, Prevost, Quilici, Robbins, Selstad, Shelden, C. Smith, E. Smith, Swanberg, Weeding, Zimmer, Zody. Total 40.

Absent or not voting: Dye, T. Murphy, Staigmiller. Total 3.

Excused: Ainsworth. Total 1.

Senate Bill No. 204 was concurred in by the following vote:

Ayes: Aber, Anderson, Baeth, Bennett, Burnett, Christiansen, Cox, Dye, East, Ellerd, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Keller, Kolstad, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McNamer, Mather, Mehrens, Menahan, J. Murphy, Nichols, Patrick, Nelstead, Quilici, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Weeding, Whitney, Worden, Mr. Speaker. Total 54.

Noes: Asbjornson, Aspevig, Bardanouve, Bradley, Brand, Brown, Campbell, Clemow, Darrow, Devine, Edland, Eggebrecht, Fagg, Fاسبender, Fleming, Gerke, Greely, Gunderson, Hall, Hodges, Johnston, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lien, Lund, McKittrick, Marbut, Marks, T. Murphy, Norman, Olson, Parrish, Perry, Prevost, Robbins, Schoonover, Scott, Staigmiller, Swanberg, Towe, Warfield, Watt, Wolf, Yardley, Zimmer, Zody. Total 49.

Absent or not voting: None.

Paired: Staigmiller, no; Dye, aye; T. Murphy, no; J. Murphy, aye.

Excused: Ainsworth. Total 1.

Senate Bill No. 305 was concurred in by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Sverdsten, Swanberg, Towe, Warfield, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 88.

Noes: Aber, East, Falkenstern, McNamer, Olson, Patrick, Prevost, C. Smith, Swan, Ulmer, Watt, Whitney. Total 12.

Absent or not voting: T. Murphy, Staigmiller, Zimmer. Total 3.

Excused: Ainsworth. Total 1.

Senate Bill No. 99 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Bennett, Bradley, Brand, Burnett, Campbell, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marks, Mehrens, J. Murphy, Nichols, Norman, Olson, Patrick, Nelstead, Prevost, Quilici, Scott, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swanberg, Towe, Warfield, Watt, Worden, Yardley, Zimmer, Mr. Speaker. Total 72.

Noes: Baeth, Brown, Christiansen, Gerke, Giesick, Harrison, Jackson, Johnston, Kendall, Lockrem, Lockwood, McGrath, Marbut, Mather, Menahan, Parrish, Perry, Robbins, Schoonover, Selstad, Swan, Ulmer, Weeding, Whitney, Wolf, Zody. Total 26.

Absent or not voting: Bardanouve, Dye, T. Murphy, Shelden, Staigmiller. Total 5.

Excused: Ainsworth. Total 1.

Senate Bill No. 126 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Himsl, Perry, C. Smith, Whitney. Total 4.

Absent or not voting: T. Murphy, Staigmillier. Total 2.

Excused: Ainsworth. Total 1.

Senate Bill No. 174 was concurred in by the following vote:

Ayes: Aber, Aspevig, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Devine, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fleming, Forester, Glennen, Greely, Haines, Harper, Healy, Himsl, Hodges, Johnston, Keller, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, Norman, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Snortland, Towe, Ulmer, Warfield, Watt, Worden, Yardley, Zody, Mr. Speaker. Total 61.

Noes: Anderson, Asbjornson, Baeth, Burnett, Campbell, Cox, Darrow, East, Falkenstern, Fitzgarrald, Gerke, Giesick, Gunderson, Hall, Hemstad, Jackson, Kendall, Kvaalen, Lockrem, Lockwood, Lundgren, J. Murphy, Nichols, Olson, Patrick, Perry, Selstad, Shelden, C. Smith, E. Smith, Spilde, Sverdsten, Swan, Swanberg, Weeding, Whitney, Wolf, Zimmer. Total 38.

Absent or not voting: Dye, Harrison, T. Murphy, Staigmillier. Total 4.

Excused: Ainsworth. Total 1.

Senate Bill No. 317 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: East, Falkenstern, Fitzgarrald, Forester, Hemstad, McNamer, Marks, Patrick, C. Smith, Spilde, Swan, Whitney, Wolf. Total 13.

Absent or not voting: T. Murphy, Nichols, Staigmillier, Sverdsten. Total 4.

Excused: Ainsworth. Total 1.

The Speaker signed the following bills in open session: Senate Bills

Nos. 78, 247, 22, 314, 195, 196, 222, 234, 178, 286, 279, 258, Senate Joint Resolutions Nos. 23, 19, 12, 4, 16, 26.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to Committee:

House Bill No. 614, introduced by Dye, Glennen: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations." Referred to Committee on Appropriations.

Harrison moved that the House adjourn until 10:30 a.m., February 26, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FIFTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana

February 26, 1971

House convened, pursuant to adjournment, at 10:30 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain, and Pledge of Allegiance to the Flag.

On roll call all members were present except Laas, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fifty-Third Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

February 26, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Joint Resolutions Nos. 1, 14, 34, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and president of the Senate, were this day at the hour of 9:15 o'clock, a.m., delivered to the Governor for his approval.

MARKS, Chairman

February 26, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 4, 6, 71, 14, 180, 242, 309, 396, 452, 505, 518, 572, 13, 26, 38, 52, 82, 130, 171, 174, 175, 189, 218, 220, 221, 255, 424, 575, 444, 352, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day

at the hour of 9:15 o'clock, a.m., delivered to the Governor for his approval.

MARKS, Chairman

February 26, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Barbara A. Bonini, Steno, be removed from the payroll effective February 25, 1971.

SPILEDE, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 25, 1971

Mr. Speaker:

I am directed by the Senate, to inform your Honorable Body that the Senate this day read third time and concurred in, as amended, the following House bills, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 559, introduced by E. Smith, et al

House Bill No. 243, introduced by Fagg, et al

House Bill No. 279, introduced by McKittrick, et al

House Bill No. 208, introduced by Cox, et al

House Bill No. 353, introduced by Dye, et al

House Bill No. 266, introduced by Lanthorn

House Bill No. 69, introduced by Keller, Zody, and Brown

House Bill No. 65, introduced by Keller, Zody, and Brown

House Bill No. 423, introduced by Fagg and Snortland

House Bill No. 455, introduced by Forester, et al

House Bill No. 265, introduced by Darrow, et al

House Bill No. 338, introduced by Hall, et al

House Bill No. 490, introduced by Laas

House Bill No. 168, introduced by J. Murphy, et al

House Bill No. 230, introduced by Gunderson, Fleming, Glennen.

House Bill No. 397, introduced by Keller and Nichols

House Joint Resolution No. 26, introduced by Darrow, Marbut and Watt

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 25, 1971

Mr. Speaker:

I am directed by the Senate, to inform your Honorable Body that the

following House bills were recommended that they be not concurred in, the bills are herewith returned to the House.

House Bill No. 472, introduced by Schoonover, et al

House Bill No. 582, introduced by Jackson, et al

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 25, 1971

Mr. Speaker:

I am directed by the Senate, to inform your Honorable Body that the Senate this day on roll call vote adopted the Joint Conference Committee report on Senate Bill No. 51 and the report is herewith transmitted to the House.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 25, 1971

Mr. Speaker:

I am directed by the Senate, to inform your Honorable Body that the Senate this day read third time and concurred in, as amended, the following House bills, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 244, introduced by Fagg, et al

House Bill No. 540, introduced by Anderson, et al

House Bill No. 249, introduced by T. L. Murphy, Jackson and Snortland

House Bill No. 22, introduced by Yardley and Warfield

House Bill No. 79, introduced by Robbins, et al

House Bill No. 499, introduced by Towe, et al

House Bill No. 580, introduced by Burnett and Haines

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 25, 1971

Mr. Speaker:

I am directed by the Senate, to inform your Honorable Body that the Senate this day read third time and concurred in the following House bills, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 561, introduced by Education Committee (by request)

House Bill No. 238, introduced by Mather and Robbins

House Bill No. 239, introduced by Haines and Nichols

House Bill No. 477, introduced by Bardanouve

House Bill No. 337, introduced by Hall

House Bill No. 501, introduced by Fagg

House Bill No. 320, introduced by Yardley

House Bill No. 377, introduced by Lee (by request)

House Bill No. 185, introduced by Bennett, et al

House Bill No. 68, introduced by Keller, Zody, Brown

House Bill No. 446, introduced by Watt and Marbut

House Bill No. 329, introduced by Hall

House Bill No. 313, introduced by Marbut, et al

House Bill No. 200, introduced by Haines, et al

House Bill No. 110, introduced by Swan and Zimmer

House Bill No. 416, introduced by Gunderson, et al

House Bill No. 449, introduced by Zimmer, et al

House Bill No. 360, introduced by Dye, Ellerd, and Lockwood

House Joint Resolution No. 40, introduced by Dye, et al

House Joint Resolution No. 30, introduced by Baeth, et al

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Committee arose. Forester in the Chair.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 106 be not concurred in.

That Senate Amendments to House Bill No. 259 be concurred in.

That Senate Amendments to House Bill No. 497 be not concurred in.

That Senate Amendments to House Bill No. 11 be concurred in.

That Senate Amendments to House Bill No. 61 be not concurred in.

That Senate Amendments to House Bill No. 201 be not concurred in.

That Senate Amendments to House Joint Resolution No. 6 be concurred in.

That Senate Amendments to House Bill No. 149 be concurred in.

That Senate Amendments to House Bill No. 66 be concurred in.

That Senate Amendments to House Bill No. 190 be concurred in.

That Senate Amendments to House Bill No. 355 be moved to the bottom of the board.

That Senate Amendments to House Bill No. 430 be concurred in.

That Senate Amendments to House Bill No. 432 be concurred in.

That Senate Amendments to House Bill No. 104 be concurred in.

That Senate Amendments to House Bill No. 166 be concurred in.

That Senate Amendments to House Bill No. 229 be concurred in.

That Senate Amendments to House Bill No. 93 be not concurred in.

That Senate Amendments to House Bill No. 254 be moved to the bottom of the board.

That Senate Amendments to House Joint Resolution No. 44 be concurred in.

That Senate Amendments to House Bill No. 333 be concurred in.

That Senate Amendments to House Bill No. 453 be concurred in.

That the Committee rise and report and beg leave to sit again.

FORESTER, Chairman

Report Adopted.

REPORTS OF STANDING COMMITTEES

February 26, 1971

Mr. Speaker: We, your committee on Appropriations, having had under consideration House Bill No. 611, respectfully report as follows: That House Bill No. 611 be amended—

Harrison moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended on page 2, section 4, line 27, after the word "documents" strike the period and add the following new material: "and further providing that no salary position of \$15,000 a year or more may be increased."

Further amend section 11, page 6, line 24, by striking the figures "378,000 and 392,900" by inserting in lieu thereof the figures "558,209 and 578,282".

Further amend section 11, page 6, by striking lines 25, 26 and 27.

Further amend section 11, page 12, line 26, by striking the figures "183,766 & 201,959" and inserting in lieu thereof the following figures "233,766 & 251,959".

Further amend section 11, page 12, line 30, by striking the figures "2,135,689 & 2,252,693" and inserting in lieu thereof the following figures "2,185,689 & 2,302,693".

Further amend section 11, page 12, after line 30, by inserting the following material: "Medical Assistance Payments Program

To institutions under

Title XIX

From the general fund	482,542	482,542"
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Further amend page 13, section 11, line 21, by striking the figures "250,000 & 250,000" and inserting in lieu thereof the following figures: "275,000 & 275,000".

Further amend section 11, page 15, line 7, by striking the figure "22,070" and inserting the following figure: "222,070".

Further amend section 11, page 15, line 10, by striking the word "earmarked" and inserting in lieu thereof the following material: "federal and private".

Further amend page 15, lines 11 and 12 after the word "fund" by striking the following material "the comma (,) water resources board account".

Further amend section 11, page 18, by striking lines 7, 8, 9, 10 and 11.

Further amend page 21, line 22, by striking the figures "113,500 & 115,000" and inserting in lieu thereof the following figures: "133,500 & 135,000".

Further amend section 11, page 21, after line 22, by inserting the following material: "The head of this agency shall not receive a salary in excess of \$12,000 for the fiscal year ending June 30, 1972, and \$12,000 for the fiscal year ending June 30, 1973."

As amended, do pass.

NICHOLS, Chairman

Report Adopted.

February 26, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 612, respectfully report as follows: That House Bill No. 612

Be amended in section 13, page 10, by striking lines 8, 9, 10, 11 and 12.

And as amended, do pass.

NICHOLS, Chairman

Report Adopted.

Harrison moved that the House stand in recess until 3:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

February 26, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 9, 113, 118, 177, 195, 199, 205, 213, 216, 217, 234, 351, 401, 438, 478, 487, 520, 537, House Joint Resolution No. 31.

MARKS, Chairman

February 25, 1971

I have examined House Bill No. 9, introduced by me, and find the same to be correct.

MATHER

I have examined House Bill No. 113, introduced by me, and find the same to be correct.

CHRISTIENSEN

I have examined House Bill No. 118, introduced by me, and find the same to be correct.

CHRISTIENSEN

I have examined House Bill No. 177, introduced by me, and find the same to be correct.

CAMPBELL

I have examined House Bill No. 195, introduced by me, and find the same to be correct.

LOCKREM

I have examined House Bill No. 199, introduced by me, and find the same to be correct.

SCOTT

I have examined House Bill No. 205, introduced by me, and find the same to be correct.

GLENNE

I have examined House Bill No. 213, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 216, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 217, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 351, introduced by me, and find the same to be correct.

GERKE

I have examined House Bill No. 537, introduced by me, and find the same to be correct.

HALL

I have examined House Bill No. 520, introduced by me, and find the same to be correct.

WARFIELD

I have examined House Bill No. 487, introduced by me, and find the same to be correct.

McKITTRICK

I have examined House Bill No. 478, introduced by me, and find the same to be correct.

TOWE

I have examined House Bill No. 438, introduced by me, and find the same to be correct.

SWANBERG

I have examined House Bill No. 401, introduced by Judiciary Committee, and find the same to be correct.

SCOTT

I have examined House Bill No. 234, introduced by me, and find the same to be correct.

GIESICK

I have examined House Joint Resolution No. 31, introduced by me, and find the same to be correct.

J. MURPHY

The Speaker signed the following bills in open session: House Bills Nos. 9, 113, 118, 177, 195, 199, 205, 213, 216, 217, 234, 351, 401, 438, 478, 520, 537, 487 and House Joint Resolution No. 31.

REPORTS OF STANDING COMMITTEES

February 26, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 56, respectfully report as follows: That Senate Bill No. 56 be concurred in.

WARFIELD, Chairman

Report Adopted.

February 26, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 235, respectfully report as follows: That Senate Bill No. 235 be concurred in.

WARFIELD, Chairman

Report Adopted.

February 26, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 236, respectfully report as follows: That Senate Bill No. 236 be concurred in.

WARFIELD, Chairman

Report Adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that a Free Conference Committee be appointed by the Speaker to confer with a like committee from the Senate to consider Senate Amendments to House Bills Nos. 93 and 201. Motion carried.

The Speaker appointed the following Free Conference Committee to consider Senate Amendments to House Bill No. 93: Wolf, Chairman; Lanthorn, Laas.

The Speaker appointed the following Free Conference Committee to consider Senate Amendments to House Bill No. 201: East, chairman; Marbut, Lombardi.

Harrison moved that a Conference Committee be appointed by the Speaker to confer with a like committee from the Senate to consider Senate Amendments to House Bills Nos. 61, 106, 497. Motion carried.

The Speaker appointed the following Conference Committee to consider Senate Amendments to House Bill No. 497: Hemstad, chairman; Nelstead, Towe.

The Speaker appointed the following Conference Committee to consider Senate Amendments to House Bill No. 106: Scott, chairman; Selstad, McKittrick.

Harrison moved that the House suspend the Rules to allow the distribution and consideration of House Bills Nos. 611 and 612 this day. Motion carried.

Baeth, having voted on the prevailing side in concurring with Senate Bill No. 204 on Third Reading the previous day, moved that the House reconsider its action.

Marbut requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Lockrem moved the previous question. Motion carried.

The motion by Baeth failed by the following vote:

Ayes: Ainsworth, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Campbell, Cox, Darrow, Devine, Edland, Fagg, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Hodges, Johnston, Kendall, Kosena, Kvaalen, Lien, McKittrick, Marbut, Menahan, T. Murphy, Norman, Parrish, Prevost, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Warfield, Watt, Weeding, Yardley, Zimmer, Zody. Total 45.

Noes: Aber, Anderson, Asbjornson, Bennett, Burnett, Christiansen, Clemow, Dye, East, Eggebrecht, Ellerd, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Keller, Knudsen, Kolstad, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Mather, Mehrens, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Quilici, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 57.

Paired: Fasbender, aye; Sverdsten, no.

Absent or not voting: Marks, E. Smith. Total 2.

Excused: None.

Harrison moved that the House suspend the Rules and discontinue reading all Senate Amendments to House Bills and House Joint Resolutions for the remainder of the session. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Forester in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 374 be concurred in.

That Senate Amendments to House Bill No. 412 be concurred in.

That Senate Amendments to House Bill No. 258 be concurred in.

That Senate Amendments to House Bill No. 589 be concurred in.

That Senate Amendments to House Bill No. 15 be concurred in.

That Senate Amendments to House Bill No. 203 be concurred in.

That Senate Amendments to House Bill No. 361 be concurred in.

That Senate Amendments to House Bill No. 144 be concurred in.

That Senate Amendments to House Bill No. 143 be concurred in.

That Senate Amendments to House Bill No. 142 be concurred in.

That Senate Amendments to House Bill No. 141 be concurred in.

That Senate Amendments to House Bill No. 140 be concurred in.

That Senate Amendments to House Bill No. 531 be concurred in.

That Senate Amendments to House Bill No. 169 be concurred in.

That Senate Amendments to House Bill No. 293 be concurred in.

That Senate Amendments to House Bill No. 426 be concurred in.

That Senate Amendments to House Bill No. 429 be concurred in.

That Senate Amendments to House Bill No. 482 be concurred in.

That Senate Amendments to House Bill No. 316 be concurred in.

That Senate Amendments to House Bill No. 112 be concurred in.

That Senate Amendments to House Bill No. 34 be moved to the bottom of the list.

That Senate Amendments to House Joint Resolution No. 9 be concurred in.

That Senate Amendments to House Joint Resolution No. 33 be concurred in.

That Senate Amendments to House Bill No. 30 be concurred in.

That Senate Amendments to House Bill No. 29 be concurred in.

That Senate Amendments to House Bill No. 244 be not concurred in.

That Senate Amendments to House Bill No. 249 be concurred in.

That Senate Amendments to House Bill No. 540 be not concurred in.

That Senate Amendments to House Bill No. 79 be concurred in.

That Senate Amendments to House Bill No. 499 be not concurred in.

That Senate Amendments to House Bill No. 22 be concurred in.

That Senate Amendments to House Bill No. 580 be concurred in.

That Senate Amendments to House Bill No. 559 be concurred in.

That Senate Amendments to House Bill No. 397 be concurred in.

That Senate Amendments to House Bill No. 279 be concurred in.

That Senate Amendments to House Bill No. 208 be concurred in.

That Senate Amendments to House Bill No. 353 be concurred in.

That Senate Amendments to House Bill No. 266 be concurred in.

That Senate Amendments to House Bill No. 69 be concurred in.

That Senate Amendments to House Bill No. 65 be concurred in.

That Senate Amendments to House Bill No. 423 be concurred in.

That Senate Amendments to House Bill No. 455 be not concurred in.

That Senate Amendments to House Bill No. 265 be concurred in.

That Senate Amendments to House Bill No. 338 be moved to follow House Bill No. 490.

That Senate Amendments to House Bill No. 490 be not concurred in.

That Senate Amendments to House Bill No. 338 be concurred in.

That Senate Amendments to House Bill No. 168 be concurred in.

That Senate Amendments to House Bill No. 230 be concurred in.

That Senate Amendments to House Bill No. 243 be concurred in.

That the Committee rise and report and beg leave to sit again.

FORESTER, Chairman

Report Adopted.

REPORTS OF STANDING COMMITTEES

February 26, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 611, 612, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

February 26, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 614, respectfully report as follows: That House Bill No. 614

Be amended on page 4, section 10, line 12, after the word "documents" by striking the period and adding the following new material: "and further providing that no salary position of \$15,000 a year or more may be increased.", and

As amended, do pass.

NICHOLS, Chairman

Report Adopted.

February 26, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 613, respectfully report as follows: That House Bill No. 613 be amended—

Nichols moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended on section 1, page 2, line 13, by inserting a new subsection (5) to read as follows:

"A budget amendment shall not increase the salary or salaries of any office or position beyond the amount of the salary which is provided in the 1973 biennial budget and its supporting documents and further providing that no salary position of \$15,000 a year or more may be increased. In case of acute emergency a budget amendment may be approved to increase

a salary approved by the board of examiners and which is determined by the board to be necessary to retain essential professional, technical or administrative personnel.'

And further amend subsequent subsections to conform numerically.

And further amend section 7, page 4, by adding a new subsection (4), by adding the following material after the line 10:

(4) Department of Anthropology Archaeological field schools, from the general fund	8,500	8,500
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Further amend section 7, page 10, line 13 by striking the figures "17,889,187 & 20,889,186" and inserting in lieu thereof the following figures: "16,889,187 & 19,889,186".

And as amended, do pass.

NICHOLS, Chairman

Report Adopted.

The Speaker signed the following Senate Bills in open session: 199, 322, 305, 171, 194, 234.

MESSAGES FROM THE SENATE

February 26, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate recommended that the following House Bills be not concurred in and the bills are herewith returned to the House.

House Bill No. 246, introduced by Ulmer and Swanberg

House Bill No. 462, introduced by Forester

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the Speaker appoint a Conference Committee to meet with like committees from the Senate to consider Senate Amendments to House Bills Nos. 244 and 540. Motion carried.

The Speaker appointed the following Conference Committees:

Senate Amendments to House Bill No. 244: Fagg, chairman; Marks, Jackson.

Senate Amendments to House Bill No. 540: C. Smith, chairman; Warfield, McGrath.

Laas moved that the House reconsider its action in adopting an adverse Committee of the Whole report on Senate Amendments to House Bill No. 490 this day. Motion carried.

Harrison moved that the House recess until 6:30 p.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 26, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 607, respectfully report as follows: That House Bill No. 607 be amended—

Nichols moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended in section 1, subsection (2) on page 1 of the bill, after the word "exceed" on line 24, by striking the following material: "seven percent (7%) and inserting in lieu thereof the following material: "eight and four tenths percent (8.4%)", and

Be further amended in section 1, subsection (2) on page 1 of the bill, after the word "and" on line 25, by striking the following material: "five percent (5%)" and inserting in lieu thereof the following material: "four and two tenths percent (4.2%)", and

Be further amended in section 1, subsection (2) on page 1 of the bill, after the word "shall" on line 27, by striking the following material: "not receive salary increases in excess of one percent (1%) in the fiscal year ending June 30, 1972, and shall receive no increase during the fiscal year ending June 30, 1973" and inserting in lieu thereof the following material: "receive salary increases within the limits of the appropriation for personal services but shall not exceed a four and two tenths percent (4.2%) adjustment in the approved compensation plan for each year of the biennium", and

Be further amended in section 1, subsection (2) page 2, line 1 of the bill, after the word "both" by adding the following material: ", provided, however, that a salary of \$15,000 or above for a position may not be increased during the biennium", and

Be further amended in section 2, subsection (3), page 3 of the bill, starting on line 10, through and including line 12, by deleting the material contained therein in its entirety, and

Be further amended in section 10, page 5 of the bill, on line 1 by striking the figures "98,300" and "98,885" and inserting in lieu thereof the figures "101,163" and "101,774", and

Be further amended in section 10, page 5 of the bill, on line 4, by striking the figures "60,207" and "60,613" and inserting in lieu thereof the figures "80,602" and "81,060", and

Be further amended in section 10, page 5 of the bill, on line 7 by striking the figures "98,461" and "98,988" and inserting in lieu thereof the following figures "104,451" and "104,984", and

Be further amended on page 5, line 15 by striking the figures "151,242 153,762" and inserting in lieu thereof the following new figures: "126,976 129,225", and

Be further amended on page 5, line 20 by striking the figures "583,182 600,898" and inserting in lieu thereof the following new figures "585,969 600,778", and

Be further amended on page 5, line 25, by striking the figures "173,971 175,570" and inserting in lieu thereof the following new figures "183,890 185,457", and

Be further amended on page 6, line 4 by striking the figures "233,637 238,834" and inserting in lieu thereof the following new figures "254,106 259,159", and

Be further amended on page 6, line 13 by striking the figures "1,645,515 1,720,515", and inserting in lieu thereof the following new figures "1,691,075 1,755,913", and

Be further amended on page 6, line 25 by striking the figures "45,335 45,946" and inserting in lieu thereof the following new figures "45,492 46,049", and

Be further amended on page 6, line 29 by striking the figures "132,769 137,388" and inserting in lieu thereof the following new figures "137,272 141,518", and

Be further amended on page 7, line 3 by striking the figures "28,996 29,826" and inserting in lieu thereof the following new figures "30,829 31,557", and

Be further amended on page 7, line 8 by striking the figures "39,964 40,259" and inserting in lieu thereof the following new figures "37,465 37,758", and

Be further amended on page 7, line 13 by striking the figures "354,681 368,429" and inserting in lieu thereof the following new figures "294,338 303,949", and

Be further amended on page 7, line 18 by striking the figures "73,421 73,421" and inserting in lieu thereof the following new figures "144,155 145,366", and

Be further amended on page 7, line 22, by striking the figures "83,563 83,563" and inserting in lieu thereof the following new figures "71,303 71,303", and

Be further amended on page 8, line 9 by striking the figures "24,542 25,025" and inserting in lieu thereof the following figures "24,466 24,979", and

Be further amended on page 8, line 13 by striking the figures "54,802 60,495" and inserting in lieu thereof the following figures "57,736 63,259", and

Be further amended on page 8, line 22 by striking the figures "7,476 7,476" and inserting in lieu thereof the following figures "7,921 7,921", and

Be further amended on page 8, line 27 by striking the figures "28,212 31,125" and inserting in lieu thereof the following figures "48,934 51,873", and

Be further amended on page 9, line 2 by striking the figures "12,738 10,273" and inserting in lieu thereof the following figures "5,238, 2,773", and

Be further amended on page 9, line 7 by striking the figures "119,909 122,089" and inserting in lieu thereof the following figures "118,459 119,164", and

Be further amended on page 9, line 10 by striking the figures "678,641 700,713" and inserting in lieu thereof the following figures "738,952 758,612", and

Be further amended on page 9, line 14 by striking the figures "666,280 688,959" and inserting in lieu thereof the following figures "709,515 729,654", and

Be further amended on page 9, line 25 by striking the figures "50,283

50,914" and inserting in lieu thereof the following figures "49,748 50,322", and

Be further amended on page 9, line 29 by striking the figures "173,740 179,694" and inserting in lieu thereof the following figures "183,292 188,665", and

Be further amended on page 10, line 8 by striking the figures "73,638 73,638" and inserting in lieu thereof the following figures "76,052 76,052", and

Be further amended on page 10, line 17, by striking the figures "74,857 76,667" and inserting in lieu thereof the following figures "81,819 83,682", and

Be further amended on page 11, line 2 by striking the figures "200,328 212,609" and inserting in lieu thereof the following new figures "192,052 198,820", and

Be further amended on page 11, line 11 by striking the figures "140,188 140,188" and inserting in lieu thereof the following new figures "145,778 147,943", and

Be further amended on page 11, line 19 by striking the figures "190,907 191,648" and inserting in lieu thereof the following new figures "204,817 205,375", and

Be further amended on page 11, line 27 by striking the figures "26,283 26,283" and inserting in lieu thereof the following new figures "29,477 29,477", and

Be further amended on page 12, line 1 by striking the figures "101,381 102,034" and inserting in lieu thereof the following new figures "114,895 115,319", and

Be further amended on page 12, line 12 by striking the figures "125,089 126,849" and inserting in lieu thereof the following new figures "119,349 120,910", and

Be further amended on page 12, line 16 by striking the figures "924,273 924,273" and inserting in lieu thereof the following new figures "1,013,700 944,600", and

Be further amended on page 12, line 30 by striking the figures "140,000 140,000" and inserting in lieu thereof the following new figures "261,700 261,700", and

Be further amended on page 13, line 7 by striking the figures "47,004 47,004" and inserting in lieu thereof the following new figures "48,545 48,545", and

Be further amended on page 13, line 11 by striking the figures "0 92,279" and inserting in lieu thereof the following new figures "8,280 100,559", and

Be further amended on page 13, line 20 by striking the figures "44,232 45,430" and inserting in lieu thereof the following new figures "45,201 46,230", and

Be further amended on page 13, line 28 by striking the figures "37,865 38,112" and inserting in lieu thereof the following new figures "38,895 39,139", and

Be further amended in section 10, page 14, line 3 of the bill by striking the figures "29,107" and "35,107" and inserting in lieu thereof the figures "37,069" and "43,069", and

Be further amended in section 10, page 14, line 15 of the bill by strik-

ing the figures "18,933" and "19,531" and inserting in lieu thereof the figures "19,320" and "19,828", and

Be further amended in section 10, page 14, line 20 of the bill by striking the figures "24,802" and "25,059" and inserting in lieu thereof the figures "24,786" and "25,026", and

Be further amended in section 10, page 14, line 24 of the bill by striking the figures "41,625" and "45,049" and inserting in lieu thereof the figures "50,131" and "53,257", and

Be further amended in section 10, page 15, line 7 of the bill by striking the figures "296,502" and "303,196" and inserting in lieu thereof the figures "263,021" and "268,549", and

Be further amended in section 10, page 15, line 11 of the bill by striking the figures "3,323,041" and "3,426,961" and inserting in lieu thereof the figures "3,432,156" and "3,516,979", and

Be further amended in section 10, page 15, line 16 of the bill by striking the figures "970,599" and "996,924" and inserting in lieu thereof the figures "1,013,684" and "1,034,826", and

Be further amended in section 10, page 15, line 26 of the bill by striking the figures "80,547" and "82,011" and inserting in lieu thereof the figures "85,112" and "86,461", and

Be further amended in section 10, page 17 of the bill, on line 5 of the bill by striking the figures "183,350" and inserting in lieu thereof the figures "218,350", and

Be further amended in section 10, page 17 of the bill, on line 16 by striking the figures "\$10,000" and inserting in lieu thereof the figures "\$15,000", and

Be further amended in section 10, page 17, line 18 of the bill, after the word "biennium" by inserting the following material: "During the biennium ending June 30, 1973, the additional fee of fifty cents (50c) authorized by section 53-106, R.C.M., 1947, shall continue to be charged and deposited in the earmarked revenue fund, Motor Vehicle Account, and shall be used for the general operation of the office of Registrar of Motor Vehicles and for the support of the state prison and the prison manufacturing plant; and further that the Registrar shall not manufacture a reflectorized plate during the biennium.", and

Be further amended in section 10, page 18, line 9 of the bill, after the word "of" by striking the figures "\$10,000" and inserting in lieu thereof the figures "\$15,000",

And as amended, do pass.

NICHOLS, Chairman

Report Adopted.

Harrison moved that the House adjourn until 10:00 a.m., February 27, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

HOUSE JOURNAL—FORTY-SECOND SESSION
FIFTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana

February 27, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Campbell, Lockrem, Perry, Sverdsten, Worden.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the fifty-fourth legislative day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

Harrison moved that the House recess until 10:40 a.m. Motion carried.
House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 27, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 7, 160, 390, 42, 55, 417, 551, 399, 214, 215, 96, House Joint Resolutions Nos. 23, 43.

BURNETT, Member

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend its Rules to allow Second and Third Reading on House Bills Nos. 607, 611, 612, 613, 614 this day. Motion withdrawn.

Harrison moved that the House suspend its Rules to allow the introduction of a revenue measure. Motion failed.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, were disposed of in the following manner:

Senate Amendments to House Bill No. 11 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Baranouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith,

Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: Gunderson. Total 1.

Absent or not voting: Dye, Mather, Ulmer. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 15 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnabender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, C. Smith, Snortland, Spilde, Swan, Swanberg, Towe, Warfield, Watt, Wolf, Yardley, Zody, Mr. Speaker. Total 82.

Noes: Anderson, Brown, Forester, Gunderson, Knudsen, Lombardi, Lundgren, J. Murphy, T. Murphy, E. Smith, Staigmiller, Weeding, Zimmer. Total 13.

Absent or not voting: Mather, Scott, Ulmer, Whitney. Total 4.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 22 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnabender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Hodges, Mather, Ulmer, Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 29 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnabender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy,

T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Burnett, E. Smith. Total 2.

Absent or not voting: Harrison, Mather, Ulmer. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 30 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-stern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, War-field, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: None.

Absent or not voting: Schoonover. Total 1.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 65 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Dar-row, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-stern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Burnett, Hemstad, Kvaalen, Marks, Whitney. Total 5.

Absent or not voting: Schoonover. Total 1.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 66 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-stern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena,

Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: None.

Absent or not voting: None.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 69 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Burnett, Giesick, Marks, Whitney. Total 4.

Absent or not voting: Spilde. Total 1.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 79 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Darrow, Devine, Dye, Edland, Fagg, Falkenstern, Fاسبender, Fleming, Gerke, Glennen, Gunderson, Haines, Hall, Harrison, Healy, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Staigmiller, Swan, Swanberg, Warfield, Watt, Weeding, Yardley, Zody, Mr. Speaker. Total 73.

Noes: Asbjornson, Burnett, Clemow, Cox, East, Eggebrecht, Ellerd, Fitzgarrald, Forester, Giesick, Greely, Harper, Hemstad, Jackson, Lien, Mather, Parrish, Selstad, C. Smith, E. Smith, Towe, Ulmer, Wolf, Zimmer. Total 24.

Absent or not voting: Spilde, Whitney. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 104 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely,

Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hims, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Yardley, Zody, Mr. Speaker. Total 91.

Noes: Burnett, C. Smith, Spilde, Swan, Whitney, Zimmer. Total 6.

Absent or not voting: Keller, Schoonover. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 112 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-stern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hims, Hodgs, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 98.

Noes: Swanberg. Total 1.

Absent or not voting: None.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 140 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-stern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hims, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kvaalen, Laas, Lan-thorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Spilde, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Yardley, Zody, Mr. Speaker. Total 92.

Noes: Kolstad, Selstad, Snortland, Ulmer, Whitney, Zimmer. Total 6.

Absent or not voting: Kosena. Total 1.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 141 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-

stern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Spilde, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Yardley, Zody, Mr. Speaker. Total 93.

Noes: Hemstad, Selstad, Snortland, Ulmer, Whitney, Zimmer. Total 6.

Absent or not voting: None.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 142 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-stern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Yardley, Zody, Mr. Speaker. Total 87.

Noes: Hemstad, Kolstad, Marks, Selstad, C. Smith, E. Smith, Snortland, Spilde, Ulmer, Whitney, Zimmer. Total 11.

Absent or not voting: Schoonover. Total 1.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 143 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-stern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, C. Smith, E. Smith, Spilde, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Selstad, Snortland, Ulmer, Whitney. Total 4.

Absent or not voting: Schoonover. Total 1.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 144 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-

stern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Kolstad, Selstad, Ulmer, Whitney. Total 4.

Absent or not voting: Schoonover. Total 1.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 149 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-stern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Pre-vost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snort-land, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: T. Murphy. Total 1.

Absent or not voting: Haines, Schoonover. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 166 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falken-stern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: None.

Absent or not voting: Gerke, Schoonover. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 168 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Christiansen, Cox, Darrow,

Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zody, Mr. Speaker. Total 87.

Noes: Burnett, Clemow, Fitzgarraird, Hemstad, Marks, Selstad, C. Smith, E. Smith, Snortland, Zimmer. Total 10.

Absent or not voting: Gerke, Schoonover. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 169 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarraird, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Yardley, Zody, Mr. Speaker. Total 94.

Noes: Johnston, Weeding, Zimmer. Total 3.

Absent or not voting: Gerke, Schoonover. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 190 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarraird, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: Gerke, Harrison, Nichols, Schoonover, Whitney. Total 5.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 203 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: None.

Absent or not voting: Gerke, Schoonover. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 208 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Darrow, Gerke, Schoonover. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 230 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Burnett, Giesick, Whitney, Wolf. Total 4:

Absent or not voting: Brand, Brown, Gerke, Schoonover, Spilde. Total 5.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Dye moved that Senate Amendments to House Bill No. 243 be placed back on Second Reading. As a substitute motion Fagg moved that Senate Amendments to House Bill No. 243 remain on Third Reading. Hall requested a roll call vote, with Ayes and Nays spread on the Journal. Sufficient seconds arose. The substitute motion carried by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Cox, Darrow, Devine, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Hemstad, Himsl, Hodges, Jackson, Johnson, Kendall, Knudsen, Kolstad, Kvaalen, Lien, Lund, Lundgren, McKittrick, McNamer, Marbut, Marks, Mather, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody. Total 65.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Burnett, Clemow, Dye, Ellerd, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harper, Healy, Keller, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lynch, McGrath, Mehrens, Nichols, Quilici, Selstad, C. Smith, Spilde, Wolf, Mr. Speaker. Total 31.

Absent or not voting: Harrison, Kosena, T. Murphy. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 243 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Greely, Gunderson, Haines, Hall, Harrison, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockwood, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 81.

Noes: East, Fitzgarrald, Giesick, Glennen, Harper, Healy, Jackson, Laas, Lanthorn, Lombardi, McGrath, T. Murphy, Nichols, Selstad, C. Smith, Spilde, Whitney, Wolf. Total 18.

Absent or not voting: None.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 249 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: None.

Absent or not voting: Bardanouve, Gerke, Kvaalen, Lundgren. Total 4.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 258 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 95.

Noes: None.

Absent or not voting: Brand, Gerke, Kvaalen, Swan. Total 4.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 259 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 94.

Noes: Cox, Parrish. Total 2.

Absent or not voting: Gerke, Selstad, Swan. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 265 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Anderson, Burnett, Devine, East, Giesick, McGrath, Whitney. Total 7.

Absent or not voting: Gerke, Harrison. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 266 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmillier, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: None.

Absent or not voting: Gerke, Ulmer. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 279 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Staigmillier, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Burnett, Forester, Giesick, Hemstad, Kendall, Kolstad, Marks, C. Smith, Snortland, Wolf. Total 10.

Absent or not voting: Gerke, Spilde, Ulmer. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 293 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith,

E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: Brand. Total 1.

Absent or not voting: Gerke, Marks. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 299 were concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Towe, Ulmer, Watt, Weeding, Whitney, Wolf, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Ainsworth, Brand, Christiansen, Fitzgarrald, Harrison, Marks, T. Murphy, Parrish, Swanberg, Warfield, Yardley. Total 11.

Absent or not voting: Gerke, Schoonover. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 316 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Gerke, Haines, Whitney. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 333 were concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath,

McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zody, Mr. Speaker. Total 94.

Noes: Ainsworth, Harper, C. Smith, Zimmer. Total 4.

Absent or not voting: Gerke. Total 1.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 338 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, E. Smith, Snortland, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Yardley, Zody, Mr. Speaker. Total 82.

Noes: Aspevig, Burnett, East, Falkenstern, Fitzgarrald, Forester, Giesick, Hemstad, Keller, Kolstad, Olson, Selstad, C. Smith, Whitney, Wolf. Total 15.

Absent or not voting: Spilde, Zimmer. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 353 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bardanouve, Bennett, Bradley, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lund, Lundgren, Lynch, McGrath, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Anderson, Baeth, Brand, Healy, Lombardi, McKittrick, Marbut, Olson, Shelden. Total 9.

Absent or not voting: Gerke, Spilde. Total 2.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 361 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Greely, Gunder-

son, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Glennen, Johnston, Menahan. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden, Total 5.

Senate Amendments to House Bill No. 374 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Swan, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Brand, Burnett, Eggebrecht, Staigmiller. Total 4.

Absent or not voting: Gerke, Harrison, Nichols, Warfield. Total 4.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 397 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Wolf, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Burnett. Total 1.

Absent or not voting: Gerke, Marks, Schoonover, Weeding, Whitney, Yardley. Total 6.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 412 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Burnett, Christiansen, Clemow, Cox, Dar-

row, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Devine, Johnston, Swan. Total 3.

Absent or not voting: Brown, Gerke, Lundgren, Schoonover. Total 4.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 423 failed to be concurred in by the following vote:

Ayes: Aber, Baeth, Bennett, Brand, Brown, Burnett, Darrow, Fagg, Fitzgarrald, Fleming, Giesick, Glennen, Gunderson, Haines, Healy, Hemstad, Himsl, Johnston, Keller, Kendall, Kolstad, Kvaalen, Lee, Lombardi, Lund, Lundgren, McGrath, McNamer, Marks, J. Murphy, T. Murphy, Patrick, Nelstead, Prevost, Robbins, Selstad, C. Smith, Snortland, Staigmiller, Swan, Ulmer, Warfield, Wolf, Zody. Total 44.

Noes: Ainsworth, Anderson, Asbjornson, Aspevig, Bardanouve, Bradley, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fasbender, Forester, Greely, Hall, Harper, Harrison, Hodges, Jackson, Knudsen, Kosen, Laas, Lanthorn, Lien, Lockwood, Lynch, McKittrick, Marbut, Mather, Mehrens, Menahan, Nichols, Norman, Olson, Parrish, Quilici, Scott, Shelden, E. Smith, Spilde, Swanberg, Towe, Watt, Weeding, Whitney, Yardley, Zimmer, Mr. Speaker. Total 52.

Absent or not voting: Falkenstern, Gerke, Schoonover. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 426 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Marks, T. Murphy, Weeding. Total 3.

Absent or not voting: Gerke, Nichols, Schoonover. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 429 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Barda-

nouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstein, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Gerke, Nichols, Schoonover. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 430 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brown, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, C. Smith, Snortland, Staigmilller, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Zimmer, Zody., Mr. Speaker. Total 80.

Noes: Brand, Burnett, Clemow, Knudsen, Lombardi, J. Murphy, Parrish, Selstad, Shelden, E. Smith, Spilde, Ulmer, Yardley. Total 13.

Absent or not voting: Aspevig, Falkenstein, Gerke, Harrison, Schoonover, Whitney. Total 6.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 432 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstein, Fasbender, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Patrick, Prevost, Quilici, Robbins, Scott, Selstad, Snortland, Staigmilller, Swan, Towe, Warfield, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 79.

Noes: Brand, Eggebrecht, Giesick, Lien, J. Murphy, Parrish, C. Smith, E. Smith, Spilde, Swanberg, Ulmer, Watt, Wolf. Total 13.

Absent or not voting: Brown, Fitzgarrald, Gerke, Kvaalen, Nelstead, Schoonover, Shelden. Total 7.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 453 were concurred in by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: Aber, Bennett, Burnett, Parrish, Snortland, Spilde. Total 6.

Absent or not voting: Gerke, Kvaalen, Schoonover. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 482 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Swan, Whitney. Total 2.

Absent or not voting: Gerke, Kvaalen, Nichols, Schoonover. Total 4.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 531 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lien, Lockwood, Lund, Lundgren, McGrath, McKittrick, McNamer, Marks, Mather, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Robbins, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Zody, Mr. Speaker. Total 83.

Noes: Baeth, Harper, Hodges, Lee, Lombardi, Lynch, Marbut, Mehrens, T. Murphy, Quilici, Shelden, Yardley, Zimmer. Total 13.

Absent or not voting: Gerke, Kvaalen, Schoonover. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 559 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 93.

Noes: Brand, Devine, Marbut. Total 3.

Absent or not voting: East, Gerke, Schoonover. Total 3.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 580 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Watt, Whitney, Wolf, Zimmer, Zody, Mr. Speaker. Total 89.

Noes: Baeth, Harper, Johnston, Shelden, Weeding. Total 5.

Absent or not voting: East, Gerke, Schoonover, Warfield, Yardley. Total 5.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Bill No. 589 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zody, Mr. Speaker. Total 92.

Noes: C. Smith, Zimmer. Total 2.

Absent or not voting: Fitzgarrald, Gerke, Lundgren, Marks, Schoonover. Total 5.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Joint Resolution No. 6 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Glennen, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Bennett, Brand, Gerke, Giesick, Greely, Hall, Lundgren, Patrick, Schoonover, Swan. Total 10.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Joint Resolution No. 9 were concurred in by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Forester, Glennen, Greely, Gunderson, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Swanberg, Warfield, Watt, Yardley, Zimmer, Zody, Mr. Speaker. Total 76.

Noes: Fitzgarrald, Fleming, Hodges, Keller, T. Murphy, C. Smith, Swan, Towe, Ulmer, Weeding, Whitney, Wolf. Total 12.

Absent or not voting: Aber, Bennett, East, Gerke, Giesick, Haines, Hall, Marks, Patrick, Schoonover, Selstad. Total 11.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Joint Resolution No. 33 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Brand, Gunderson, Lien. Total 3.

Absent or not voting: Bennett, Gerke, Giesick, Haines, Hall, Hemstad, Marks, Patrick, Schoonover, Selstad. Total 10.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Senate Amendments to House Joint Resolution No. 44 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Florester, Glennen, Greely, Gunderson, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Bennett, Gerke, Giesick, Haines, Hall, Hemstad, Patrick, Schoonover, Staigmiller. Total 9.

Excused: Campbell, Lockrem, Perry, Sverdsten, Worden. Total 5.

Harrison moved that the House recess for twenty minutes. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

I have examined House Joint Resolution No. 23, introduced by me, and find the same to be correct.

KENDALL

I have examined House Joint Resolution No. 43, introduced by me, and find the same to be correct.

KOLSTAD

I have examined House Bill No. 551, introduced by me, and find the same to be correct.

CAMPBELL

I have examined House Bill No. 417, introduced by me, and find the same to be correct.

GLENNEN

I have examined House Bill No. 399, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 390, introduced by me, and find the same to be correct.

LAAS

I have examined House Bill No. 215, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 214, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 160, introduced by me, and find the same to be correct.

KNUDSEN

I have examined House Bill No. 55, introduced by me, and find the same to be correct.

MATHER

I have examined House Bill No. 96, introduced by me, and find the same to be correct.

ULMER

I have examined House Bill No. 42, introduced by me, and find the same to be correct.

GIESICK

I have examined House Bill No. 7, introduced by me, and find the same to be correct.

SCOTT

The Speaker signed the following bills in open session: House Joint Resolutions Nos. 23 and 43, and House Bills Nos. 551, 417, 399, 390, 215, 214, 160, 55, 96, 42, 7.

Harrison moved that the House stand in recess for twenty minutes. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolves itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Lundgren in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 607 do pass.

That House Bill No. 611 do pass.

That House Bill No. 612 do pass.

That House Bill No. 613 do pass.

That House Bill No. 614 do pass.

That the Committee rise and report.

LUNDGREN, Chairman

Report Adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow Third Reading of bills heard this day. He requested a Roll Call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose. The motion failed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kvaalen, Lanthorn, Lockwood, Lund, Lundgren,

McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Swan, Swanberg, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 54.

Noes: Baeth, Bardanouve, Bradley, Brand, Christiansen, Eggebrecht, Fasbender, Fleming, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Kendall, Knudsen, Kosen, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 41.

Absent or not voting: Anderson, Gerke, Johnston, Kolstad, McGrath, Spilde. Total 6.

Excused: Lockrem, Perry, Sverdsten. Total 3.

Lucas moved that the House suspend the Rules to allow the introduction of a revenue measure entitled: "An act amending Section 84-4908, R.C.M., 1947, by deleting a provision relating to a federal income tax deduction."

Lucas requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed to pass by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kvaalen, Laas, Lanthorn, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Swanberg, Ulmer, Warfield, Whitney, Wolf, Worden, Yardley, Mr. Speaker. Total 61.

Noes: Baeth, Bardanouve, Bradley, Brand, Edland, Eggebrecht, Fasbender, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Kendall, Knudsen, Kosen, Lee, Lien, Lombardi, Lynch, McKittrick, Mehrens, Menahan, T. Murphy, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Towe, Watt, Weeding, Zimmer, Zody. Total 35.

Absent or not voting: Anderson, Gerke, Johnston, Kolstad, McGrath. Total 5.

Excused: Lockrem, Perry, Sverdsten. Total 3.

Harrison moved that the House suspend the Rules and recall from Enrolling House Bills Nos. 140, 141 and 144. Motion carried.

February 27, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 613, 614, 607, beg leave to report that the same have this date been returned from the printer correctly printed.

BROWN

FIRST READING AND INTRODUCTION OF BILLS

The following bill was introduced, read first time, and referred to Committee:

House Bill No. 615, introduced by Nichols: A bill for an act entitled: "An act appropriating moneys for certain state agencies of government

for the biennium ending June 30, 1971." Referred to Committee on Appropriations.

Harrison moved that the House adjourn until 3:00 p.m., February 28, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FIFTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana

February 28, 1971

House convened, pursuant to adjournment, at 3:12 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Brown, Burnett, Ellerd, Fleming, Giesick, Lee, Lockrem, Lombardi, McGrath, Norman, Perry, Quilici, Selstad, Wolf, Worden, Yardley.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fifty-Fifth Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

February 28, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 607, 611, 612, 613, 614.

MARKS, Chairman

February 27, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 199, 205, 213, 216, 217, 234, 195, 177, 417, 96, 399, 215, 551, 390, 160, 42, 214, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 5:10 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

February 27, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 55, 7, 537, 9, 520, 113, 118, 487, 478, 438, 401, 351, House Joint Resolutions 23, 31, 43, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 5:10 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

February 28, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 60, 481, 364, 541, 466, 204, 363, 437, 31, 348, 156, 137, 373, 410, House Joint Resolutions Nos. 50, 39, 12.

MARKS Chairman

I have examined House Bill No. 60, introduced by me, and find the same to be correct.

EAST

I have examined House Bill No. 481, introduced by me, and find the same to be correct.

BARDANOUE

I have examined House Bill No. 364, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 541, introduced by me, and find the same to be correct.

SCOTT

I have examined House Bill No. 466, introduced by me, and find the same to be correct.

BROWN

I have examined House Bill No. 204, introduced by me, and find the same to be correct.

GLENNEN

I have examined House Bill No. 363, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 437, introduced by me, and find the same to be correct.

MATHER

I have examined House Bill No. 31, introduced by me, and find the same to be correct.

LUCAS

I have examined House Bill No. 348, introduced by me, and find the same to be correct.

PATRICK

I have examined House Bill No. 556, introduced by me, and find the same to be correct.

LUCAS

I have examined House Bill No. 137, introduced by me, and find the same to be correct.

ULMER

I have examined House Bill No. 373, introduced by me, and find the same to be correct.

NELSTEAD

I have examined House Bill No. 410, introduced by me, and find the same to be correct.

HALL

I have examined House Joint Resolution No. 50, introduced by me, and find the same to be correct.

KNUDSEN

I have examined House Joint Resolution No. 39, introduced by me, and find the same to be correct.

BROWN

I have examined House Joint Resolution No. 12, introduced by me, and find the same to be correct.

SCHOONOVER

The Speaker signed the following bills in open session: House Bills Nos. 60, 481, 364, 541, 466, 204, 363, 437, 31, 348, 556, 137, 373, 410, House Joint Resolutions Nos. 50, 39, 12.

MESSAGES FROM THE SENATE

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day recommended that House Bill No. 45 be Indefinitely Postponed and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day recommended that the following House Bills be not concurred in and the bills are returned herewith to the House.

House Bill No. 147, introduced by Watt, et al

House Bill No. 84, introduced by Himsl, et al

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House bills, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 408, introduced by Bardanouve, et al

House Bill No. 287, introduced by Christiansen, et al

House Bill No. 581, introduced by Christiansen, et al

House Bill No. 81, introduced by Christiansen, et al

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed Senate Joint Resolution No. 31, title and history agreed to, and the bill is transmitted to the House for concurrence.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

MOTIONS AND RESOLUTIONS

Forester moved that the Speaker appoint a Conference Committee to confer with a like Senate committee on House Bill No. 455. Motion carried.

The Speaker appointed Forester, Mather, Shelden.

Towe moved that the Speaker appoint a Conference Committee to confer with a like Senate committee on Senate Amendments to House Bill No. 499. Motion carried.

The Speaker appointed Keller, Warfield, Knudsen.

Christiansen moved that the House suspend the Rules for the introduction of a revenue bills for an act entitled: "An act amending Section 84-4908, R.C.M., 1947, by deleting a provision relating to a federal income tax deduction, and providing an effective date." Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Resolution No. 19, introduced by Darrow, Lucas, Marbut, Cox, Christiansen, Harrison, Fasbender, Kvaalen, Nichols, Fagg, Himsl, Watt, Gerke, Hall, Bardanouve, Mehrens, Healy, Scott, Dye, Keller, Ulmer, Swan, Falkenstern, Whitney, Hemstad, East, J. Murphy, E. Smith, Warfield, Lund, Haines, C. Smith, Campbell, Lundgren, Prevost: A Resolution of the House of Representatives of the Forty-second Legislative Assembly of the State of Montana instructing the chairman of the 1971-1972 Legislative Council to give priority consideration to members of pertinent standing committees of the House and Senate of the Forty-second Legislative Assembly in appointing members of the subcommittees of the Council. Referred to Committee on Legislative Modernization.

House Bill No. 616, introduced by Nichols, Worden, Christiansen: A bill for an act entitled: "An act amending Section 84-4908, R.C.M., 1947, by deleting a provision relating to a federal income tax deduction; and providing an effective date." Referred to Committee on Ways and Means.

Senate Joint Resolution No. 31, introduced by McKeon, Hafferman, Mackay, Dzivi, Mathers: A Joint Resolution of the Senate and House of Representatives of the Legislative Assembly of the State of Montana requesting that the Legislative Council create an interim joint committee to conduct a comprehensive study of the laws relating to the probate procedure with a view to suggesting amendments that would modernize the probate code of the State of Montana. Referred to Committee on Judiciary.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 607 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Campbell, Clemow, Cox, Darrow, Dye, East, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 53.

Noes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunder-son, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yard-ley, Zimmer, Zody. Total 49.

Absent or not voting: None.

Excused: Burnett, Ellerd. Total 2.

Paired: Sverdsten, aye, Quilici, no; Brown, aye, Mehrens, no; Wolf, aye, Lee, no; Lockrem, aye, McGrath, no; Giesick, aye, Yardley, no; Perry, aye, Norman, no; Selstad, aye, Kosena, no; Worden, aye, Healy, no; Dye, aye, Fleming, no; Campbell, aye, Lombardi, no.

House Bill No. 611 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Camp- bell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitz- garrauld, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nel- stead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 54.

Noes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunder- son, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yard- ley, Zimmer, Zody. Total 49.

Absent or not voting: None.

Excused: Burnett. Total 1.

Paired: Sverdsten, aye, Quilici, no; Brown, aye, Mehrens, no; Wolf, aye, Lee, no; Lockrem, aye, McGrath, no; Giesick, aye, Yardley, no; Perry, aye, Norman, no; Selstad, aye, Kosena, no; Worden, aye, Healy, no; Dye, aye, Fleming, no; Campbell, aye, Lombardi, no; Ellerd, aye, McKittrick, no.

House Bill No. 612 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Camp- bell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitz- garrauld, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lund- gren, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Pat- rick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Mr. Speaker. Total 57.

Noes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greeley, Gunder-son, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Swanberg, Towe, Weeding, Yardley, Zimmer, Zody. Total 46.

Absent or not voting: None.

Excused: Burnett. Total 1.

Paired: Sverdsten, aye, Quicili, no; Brown, aye, Mehrens, no; Wolf, aye, Lee, no; Lockrem, aye, McGrath, no; Giesick, aye, Yardley, no; Perry, aye, Norman, no; Selstad, aye, Kosena, no; Worden, aye, Healy, no; Dye, aye, Fleming, no; Campbell, aye, Lombardi, no; Ellerd, aye, McKittrick, no.

Towe moved to amend House Bill No. 613 in section 7, page 4, line 20, by striking the following figures "3,450,000 3,600,000" and inserting in lieu thereof the following new figures "2,800,000 2,750,000", and

Further amend section 7, page 4, line 29 by striking the following figures "7,050,000 7,050,000" and inserting in lieu thereof the following new figures "7,700,000 7,725,000", and

Further amend section 7, page 5, line 12 by striking the following figures "2,600,000 2,710,000" and inserting in lieu thereof the following new figures "2,125,000 2,210,000", and

Further amend section 7, page 5, line 21 by striking the following figures "7,125,000 7,125,000" and inserting in lieu thereof the following new figures "7,600,000 7,625,000", and

Further amend section 7, page 6, line 24 by striking the following figures "275,000 290,000" and inserting in lieu thereof the following new figures "230,000 240,000", and

Further amend section 7, page 7, line 6 by striking the following figures "1,210,000 1,210,000" and inserting in lieu thereof the following new figures "1,255,000 1,260,000", and

Further amend section 7, page 7, line 12 by striking the following figures "1,200,000 1,240,000" and inserting in lieu thereof the following new figures "1,000,000 1,050,000", and

Further amend section 7, page 7, line 21 by striking the following figures "2,210,000 2,210,000" and inserting in lieu thereof the following new figures "2,410,000 2,400,000", and

Further amend section 7, page 7, line 27 by striking the following figures "420,000 435,000" and inserting in lieu thereof the following new figures "350,000 365,000", and

Further amend section 7, page 8, line 9 by striking the following figures "1,200,000 1,200,000" and inserting in lieu thereof the following new figures "1,270,000 1,270,000", and

Further amend section 7, page 8, line 15 by striking the following figures "305,000 317,000" and inserting in lieu thereof the following new figures "265,000 275,000", and

Further amend section 7, page 8, line 24 by striking the following figures "700,000 700,000" and inserting in lieu thereof the following new figures "740,000 742,000".

Towe requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Nichols moved the previous question. Motion carried.

The motion to amend failed by the following vote:

Ayes: Baeth, Bardanouve, Bradley, Brand, Christiansen, Eggebrecht, Fasbender, Fleming, Forester, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 47.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bennett, Brown, Campbell, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, Nichols, Olson, Parrish, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Absent or not voting: Clemow. Total 1.

Excused: Burnett. Total 1.

Paired: McKittrick, aye, Ellerd, no; Lombardi, aye, Campbell, no; Fleming, aye, Dye, no; Healy, aye, Worden, no; Kosena, aye, Selstad, no; Norman, aye, Perry, no; Yardley, aye, Giesick, no; McGrath, aye, Lockrem, no; Lee, aye, Wolf, no; Mehrens, aye, Brown, no; Quilici, aye, Sverdsten, no.

Gunderson moved to adopt the identical amendments he had offered on the previous legislative day. Motion failed.

House Bill No. 613 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Campbell, Clemow, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Noes: Anderson, Baeth, Bardnouve, Bradley, Brand, Christiansen, Cox, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 48.

Absent or not voting: None.

Excused: Burnett. Total 1.

Paired: Sverdsten, aye, Quilici, no; Brown, aye, Mehrens, no; Wolf, aye, Lee, no; Lockrem, aye, McGrath, no; Giesick, aye, Yardley, no; Perry, aye, Norman, no; Selstad, aye, Kosena, no; Worden, aye, Healy, no; Dye, aye, Fleming, no; Campbell, aye, Lombardi, no; Ellerd, aye, McKittrick, no.

House Bill No. 614 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Noes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 48.

Absent or not voting: None.

Excused: Burnett. Total 1.

Paired: Sverdsten, aye, Quilici, no; Brown, aye, Mehrens, no; Wolf, aye, Lee, no; Lockrem, aye, McGrath, no; Giesick, aye, Yardley, no; Perry, aye, Norman, no; Selstad, aye, Kosena, no; Worden, aye, Healy, no; Dye, aye, Fleming, no; Campbell, aye, Lombardi, no; Ellerd, aye, McKittrick, no.

Scott questioned the transmittal of Senate Joint Resolution No. 31 after the deadline, and the Speaker referred it to the Rules Committee to determine its status.

Harrison moved that the House suspend Rules to allow transmittal and consideration of Reapportionment bills through the fifty-ninth legislative day. Motion carried.

Harrison moved that the House adjourn until 10:00 a.m., March 1, 1971. Motion carried.

House adjourned at 4:10 p.m.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

FIFTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana

March 1, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Burnett, McGrath, Worden, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have ex-

amined the Journal for the fifty-sixth legislative day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 1, 1971

Mr. Speaker: We, your committee on Ways and Means, having had under consideration House Bill No. 616, respectfully report as follows: That House Bill No. 616 be amended

Be amended in the title of the original and introduced bill, line 8 following the word and punctuation "DEDUCTION;" by deleting the following word "[AND]", and

Further amend in the title of the original and introduced bill, line 8 following the word "EFFECTIVE" by deleting the word "[DATE]" and inserting in lieu thereof the following word "DATES", and

Further amend on page 2, line 1 following the word and figure "Section 2." by deleting the material in its entirety and inserting in lieu thereof the following new material "The provisions of this act shall be effective for taxable years beginning on and after January 1, 1971." and

Further amend on page 2 by inserting the following new section "Section 3. This act shall be effective upon passage and approval."

And, as amended, do pass.

ULMER, Chairman

Report adopted.

March 1, 1971

Mr. Speaker: We, your committee on Reapportionment, having had under consideration House Bill No. 601, respectfully report as follows: That House Bill No. 601 be amended

Be amended under Section 1, page 1, line 11 by striking after the word "for" and following words "[the-conduct-of]"

And further amended on page 2, line 2 by adding the following new material: "Section 5. The expenses of the Commission shall be paid as provided in Section 43-714, R.C.M., 1947."

And, as amended, do pass.

FAGG, Chairman

Report adopted.

March 1, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following employees be removed from the payroll effective February 28, 1971:

Patricia Boedecker.....	Proofreader
Kathi Dayton.....	Page
Beverly Marks	Page
Verne Sedlacek.....	Page

And further recommend that the following be added to the payroll, effective dates as listed:

Tom Pocha	Security Guard—2-27-71
Chris Kolstad	Page—3-1-71
Kent Matkin	Page—3-1-71
Dick Thompson	Page—3-1-71
John Bell, Jr.	Doorkeeper—3-1-71

SPIILDE, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 27, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I have this day signed the following measures:

House Bills Nos. 8, 10, 17, 43, 109, 167, 196, 198, 247, 261, 272, 285, 407, and 473; also House Joint Resolutions Nos. 13, 29 and 41.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 201.

The President appointed the following: Senator Siderius, Chairman; Senator Lynch, Senator Bennett.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 497.

The President appointed the following: Senator Gilfeather, Chairman; Senator Bollinger, Senator Moore.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 106.

The President appointed the following: Senator Boylan, Chairman; Senator Hanks, Senator Hibbard.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 540.

The President appointed the following: Senator McGowan, Chairman; Senator Flynn, Senator Rehberg.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 244.

The President appointed the following: Senator McGowan, Chairman; Senator Bertsche, Senator Cochrane.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a

like committee of the House to confer on Senate Amendments to House Bill No. 93.

The President appointed the following: Senator Groff, Chairman; Senator Sheehy, Senator Stein.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 325, and requests the House to appoint a Conference Committee to confer with a like committee from the Senate to said amendments.

The President appointed the following: Senator McKeon, Chairman; Senator James, Senator Hibbard.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 126 and requests the House to appoint a Conference Committee to confer with a like committee from the Senate to said amendments.

The President appointed the following: Senator Graham, Chairman; Senator Mitchell, Senator Bennett.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 99 and requests the House to appoint a Conference Committee to confer with a like committee from the Senate to said amendments.

The President appointed the following: Senator McDonald, Chairman; Senator Lyon, Senator Mitchell.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 200 and requests the House to appoint a Free Conference Committee to confer with a like committee from the Senate to said amendments.

The President appointed the following: Senator Cotton, Chairman; Senator Mathers, Senator Gilfeather.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 133 and requests the House to appoint a Free Conference Committee to confer with a like committee from the Senate to said amendments.

The President appointed the following: Senator Hafferman, Chairman; Senator Rosell, Senator Keenan.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 301 and requests the House to appoint a Conference Committee to confer with a like committee from the Senate to said amendments.

The President appointed the following: Senator Bertsche, Chairman; Senator Sorensen, Senator Carl.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 88 and requests the House to appoint a Conference Committee to confer with a like committee from the Senate on said amendments.

The President appointed the following: Senator Groff, Chairman; Senator Mathers, Senator Nees.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 282 and requests the House to appoint a Free Conference Committee to confer with a like committee from the Senate to said amendments.

The President appointed the following: Senator Lynch, Chairman; Senator Brownfield, Senator McDonald.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 68 and requests the House to appoint a Conference Committee to confer with a like committee from the Senate to said amendments.

The President appointed the following: Senator Dzivi, Chairman; Senator Carl, Senator Flynn.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 270 and requests the House to appoint a Free Conference Committee to confer with a like committee from the Senate to said amendments.

The President appointed the following: Senator McKeon, Chairman; Senator Flynn, Senator Turnage.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 225 and requests the House to appoint a Conference Committee to confer with a like committee from the Senate to said amendments.

The President appointed the following: Senator Groff, Chairman; Senator Sheehy, Senator Deschamps.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

February 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 263 and requests the House to appoint a Conference Committee to confer with a like committee from the Senate to said amendments.

The President appointed the following: Senator Hanks, Chairman; Senator Thiessen, Senator Rosell.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

Harrison moved that the Speaker appoint Free Conference Committees to meet with like committees from the Senate on Senate Bills Nos. 200, 133, 282, and 270. Conference Committees to meet with like committees from the Senate on House Amendments to Senate Bills Nos. 325, 126, 99, 301, 88, 68, 225, 263. Motion carried.

The Speaker appointed the following:

Conference Committee on House Amendments to Senate Bill No. 68: Whitney, Lanthorn, Johnston.

Conference Committee on House Amendments to Senate Bill No. 225: Lund, Scott, Parrish.

Free Conference Committee on House Amendments to Senate Bill No. 270: Scott, Lanthorn, Bradley.

Conference Committee on House Amendments Senate Bill No. 263: Falkenstern, Kolstad, Watt.

Free Conference Committee on House Amendments to Senate Bill No. 133: East, Sverdsten, Lee.

Conference Committee on House Amendments to Senate Bill No. 301: Kvaalen, Lund, Gunderson.

Conference Committee on House Amendments to Senate Bill No. 88: Ulmer, Bennett, Swanberg.

Free Conference Committee on House Amendments to Senate Bill No. 282: Olson, Fitzgarrald, Lien.

Conference Committee on House Amendments to Senate Bill No. 325: Swan, Olson, Devine.

Conference Committee on House Amendments to Senate Bill No. 126: Selstad, Fitzgarrald, Weeding.

Conference Committee on House Amendments to Senate Bill No. 99: Wolf, Ulmer, Gerke.

Free Conference Committee on House Amendments to Senate Bill No. 200: Warfield, Mather, Schoonover.

FIRST READING AND INTRODUCTION OF BILLS

The following bill was introduced, read first time, and referred to committee:

House Resolution No. 20, introduced by Towe, Jackson, Swan, Ulmer; A Resolution of the House of Representatives of the State of Montana directing the Legislative Council to conduct a comprehensive study of the statutes relating to insurance to ascertain whether health service corporations should be brought under the jurisdiction of the insurance commissioner. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Norman in the Chair. Committee arose.

House resumed: Speaker Pro Tem in the Chair.

Mr. Speaker: We, our Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Joint Resolution No. 26 be not concurred in.

That Senate Amendments to House Bill No. 355 be passed for the day.

That Senate Amendments to House Bill No. 254 be concurred in.
 That Senate Amendments to House Bill No. 34 be not concurred in.
 That Senate Bill No. 56 be concurred in.
 That Senate Bill No. 235 be concurred in.
 That Senate Bill No. 236 be concurred in.
 That Senate Amendments to House Bill No. 490 be not concurred in.
 That the Committee rise and report and beg leave to sit again.

NORMAN, Chairman

Report adopted.

Harrison moved that the House be in recess until 1:00 p.m. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 1, 1971

Mr. Speaker: We, your committee on Appropriations, having had under consideration House Bill No. 615, respectfully report as follows: That House Bill No. 615 be amended

Amend the title, being page 1, line 6, after the figure 1971 by striking the period (.) and inserting the following material: "and for the operation of the Forty-Second Legislative Assembly."

Further amend on page 2, line 2, "Forty-Second Legislative Assembly; From the general fund for operation, one hundred thirty-five thousand dollars 135,000"

Further amend on page 2, by inserting the following material: "Secretary of State: From the general fund for operation, eight thousand five hundred forty-seven dollars 8,547"

Further amend on page 2, the following material: "Department of Agriculture: From the general fund for operation, four thousand two hundred dollars 4,200"

And, as amended, do pass.

NICHOLS, Chairman

Report adopted.

March 1, 1971

Mr. Speaker: We, your committee on Rules, having had under consideration Senate Joint Resolution No. 31, respectfully report as follows: That Senate Joint Resolution No. 31 did not comply with the transmittal date as provided in the joint rules for the transmittal of a bill between the two houses of the Legislature, and, therefore, under said rules cannot be accepted by the House of Representatives.

HARRISON, Chairman

March 1, 1971

Mr. Speaker: We, your committee on Reapportionment, having had under consideration Senate Bill No. 94, respectfully report as follows: That Senate Bill No. 94 be amended

Harrison moved for suspension of the Rules and consider the amendments read in full. Motion carried.

Be amended under the title, being page 1, line 6, after the word "apportionment." by changing the "period" to a "semicolon" and adding the following new material: "and Section 43-106.2 R.C.M., 1947, to provide for the number of representatives, representative districts and apportionment."

And further amend page 1, line 14 after the figure (55) by striking the words and figures "[fifty-six (56)]" and inserting in lieu thereof the following words and figures "forty-seven (47)"

And further amend page 1, lines 19 through and including line 30, page 2, line 1 through and including line 30 and page 3, line 1 through and including line 5, by striking all of the material therein and inserting in lieu thereof the following new words, figures and punctuation:

1	1	Lincoln County
2	2	Mineral, Sanders and Lake Counties
3	4	Missoula County
4	1	Ravalli County
5	1	Beaverhead and Madison Counties
6	3	Flathead County
7	1	Granite, Powell and Jefferson Counties
8	1	Deer Lodge County
9	3	Silver Bow County
10	1	Glacier and Toole Counties
11	1	Pondera and Teton Counties
12	2	Lewis & Clark County
13	2	Liberty, Hill, Blaine and Phillips Counties
14	6	Chouteau and Cascade Counties
15	1	Broadwater, Meagher and Park Counties
16	2	Gallatin
17	2	Judith Basin, Fergus, Petroleum, Wheatland, Golden Valley and Musselshell Counties
18	1	Sweet Grass, Carbon and Stillwater Counties
19	6	Yellowstone County
20	1	Valley and Daniels Counties

21	1	Garfield, McCone, Richland and Prairie Counties
22	1	Treasure, Rosebud and Big Horn Counties
23	1	Sheridan and Roosevelt Counties
24	1	Dawson, Wibaux and Fallon Counties
25	1	Custer, Powder River and Carter Counties

And be further amended on page 3, being Section 2, line 6 through and including line 24 by striking it in its entirety and inserting in lieu thereof the following new words, figures and punctuation "43-106.2. Number of representatives—representatives of the legislative assembly shall consist of ninety-two (92) members. The representatives elected from each district are as follows:

Representative District Number	Number of Represent- tatives	District Consists of County or Counties
1	2	Lincoln County
2	4	Mineral, Sanders and Lake Counties
3	8	Missoula County
4	2	Ravalli County
5	2	Beaverhead and Madison Counties
6	5	Flathead County
7	2	Granite, Powell and Jefferson Counties
8	2	Deer Lodge County
9	6	Silver Bow County
10	2	Glacier and Toole Counties
11	2	Pondera and Teton Counties
12	4	Lewis & Clark County
13	4	Liberty, Hill, Blaine and Phillips Counties
14	12	Cascade and Choteau Counties
15	2	Broadwater, Meagher and Park Counties
16	4	Galatin County
17	3	Judith Basin, Fergus, Petroleum, Wheatland, Golden Valley and Musselshell Counties
18	2	Sweet Grass, Stillwater and Carbon Counties
19	12	Yellowstone County
20	2	Valley and Daniels Counties
21	2	Garfield, McCone, Richland and Prairie Counties

22	2	Treasure, Rosebud and Big Horn Counties
23	2	Sheridan and Roosevelt Counties
24	2	Dawson, Wibaux and Fallon Counties
25	2	Custer, Powder River and Carter Counties

And be further amended on page 3, being Section 3, line 25 through and including line 29, by striking it in its entirety and inserting in lieu thereof the following new material:

Section 3. Multi-member districts may be divided into single member districts in the following manner:

(a) Eight percent (8%) of the registered voters of the multi-member district as determined by the last registration lists applicable to the counties or parts of counties in such multi-member district must first petition for such division. If the multi-member district is located within a single county, the petition signed by the required number of voters shall be filed with the clerk and recorder of that county. If the multi-member district embraces areas in more than one county, the required petition shall be filed in the office of the clerk and recorder of any county embraced in whole or in part in the district and certified copies of such petition shall be sent by that clerk and recorder to the clerks and recorders of all other counties embraced in whole or in part in such multi-member district.

(b) The clerks and recorders with whom such petitions, whether originals or certified copies, are filed shall as promptly as possible examine such petition as to the signatures thereon which are of residents of their respective counties and shall certify to the clerk and recorder of the county in which the original petition was filed as to the number of valid signatures on said petition and as to the number of registered voters in their respective counties and included within the multi-member district. The clerk and recorder with whom the original petition was filed shall also as promptly as possible examine the petition as to the signatures thereon which are of residents of his county and shall determine the number of valid signatures as to his county. Upon receipt of the certificates of the other clerks and recorders, the clerk and recorder with whom the original petition was filed shall total the number of valid signatures on said petition and, if such petition contains valid signatures of at least eight percent (8%) of the registered voters of the multi-member district, he shall so certify to the county commissioners of each county affected in whole or in part.

(c) The county commissioners of each county affected in whole or in part, upon receipt of the certification by the clerk and recorder, shall meet together as promptly as possible and shall establish a time of election, at which shall be presented the question whether the district shall be divided into single member districts.

(d) If a majority of the voters voting at such election shall vote in favor of dividing the multi-member district, the county commissioners of the affected counties shall meet together as promptly as possible after the results of such election have been certified, and shall divide the multi-member district into single member districts. Any such plan of division shall require the approval of the majority of the commissioners of each of the counties affected.

(e) Single member districts shall be as compact as possible, comprise contiguous territory and shall be as nearly equal as practicable in population.

And, as amended, be concurred in.

FAGG, Chairman

Harrison moved for adoption of the Committee report. Motion carried.

March 1, 1971

Mr. Speaker: We, your committee on Reapportionment, having had under consideration House Joint Resolution No. 24, respectfully report as follows: That House Joint Resolution No. 24 do not pass.

FAGG, Chairman

Report adopted.

March 1, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 446, 360, 185, 449, 110, 501, 313, 329, 416, 320, 273, 200, 477, 68, 475, 377, 561, 238, and House Joint Resolution No. 40.

MARKS, Chairman

March 1, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 601, 616, 615, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

I have examined House Bill No. 501, introduced by me, and find the same to be correct.

FAGG

I have examined House Bill No. 329, introduced by me, and find the same to be correct.

HALL

I have examined House Bill No. 475, introduced by me, and find the same to be correct.

COX

I have examined House Bill No. 273, introduced by me, and find the same to be correct.

GUNDERSON

I have examined House Bill No. 416, introduced by me, and find the same to be correct.

GUNDERSON

I have examined House Bill No. 377, introduced by me, and find the same to be correct.

LEE

I have examined House Bill No. 313, introduced by me, and find the same to be correct.

MARBUT

I have examined House Joint Resolution No. 40, introduced by me, and find the same to be correct.

DYE

I have examined House Bill No. 360, introduced by me, and find the same to be correct.

DYE

I have examined House Bill No. 238, introduced by me, and find the same to be correct.

MATHER

I have examined House Bill No. 110, introduced by me, and find the same to be correct.

SWAN

I have examined House Bill No. 449, introduced by me, and find the same to be correct.

ZIMMER

I have examined House Bill No. 200, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 68, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 185, introduced by me, and find the same to be correct.

BENNETT

I have examined House Bill No. 477, introduced by me, and find the same to be correct.

BARDANOUE

I have examined House Bill No. 561, introduced by the Education Committee and find the same to be correct.

WARFIELD

I have examined House Bill No. 446, introduced by me, and find the same to be correct.

WATT

I have examined House Bill No. 320, introduced by me, and find the same to be correct.

YARDLEY

The Speaker signed the following bills in open session: Senate Bills Nos. 220, 302, 231, 185, 159, 221, 212, 215, 213, 251, 34, 155, 248, 47, 203, 290, 169, 51, 156, 252, 175, Senate Joint Resolutions Nos. 24, 15, 18, 27. House Bills Nos. 446, 360, 185, 449, 110, 501, 313, 329, 416 320, 273, 200, 477, 68, 475, 377, 561, 238, and House Joint Resolution No. 40.

REPORTS OF SELECT COMMITTEES

February 26, 1971

HOUSE BILL 568

FREE JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your free joint Senate and House Conference Committee on House Bill No. 568, beg leave to report as follows:

That we met this day and considered Senate amendments to House Bill No. 568 and recommend as follows:

That the House accedes to Senate amendment to House Bill No. 568 on page 1, line 12, and

That the House accedes to Senate amendment to House Bill No. 568 on page 1, line 19, and

That we further amend Senate amendment to House Bill No. 568,

section 2, page 1, following the word "authorized" on the last line of said amendment by adding the following material: "unless installed prior to June 1, 1971", and recommend that the same be adopted.

For the Senate: SHEEHY

HAFFERMAN
DESCHAMPS

For the House: BENNETT

FORESTER
SWANBERG

The Conference Committee report on House Bill No. 568 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Christiansen, Clemow, Cox, Darrow, Devine, East Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrauld, Fleming, Gerke, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, C. M., Smith, E. B., Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Watt, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 87.

Noes: Ainsworth, Burnett, Campbell, Dye, Forester, Giesick, Kvaalen, Lockrem, Lund, Warfield. Total 10.

Absent or not voting: Brown, Gunderson, Knudsen, Murphy, J. E., Murphy, T. L., Weeding. Total 6.

Excused: Worden. Total 1.

MESSAGES FROM THE GOVERNOR

March 1, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I have this day signed the following measures: House Bills Nos. 54, 57, 59, 67, 86, 97; 105, 150, 151, 152, 153, 154, 155, 163, 191, 192; 210, 211, 250, 260, 262, 275, 296; 306, 308, 310, 324, 332, 347, 370, 392, 394, 395, 398; 450, 448, 489; 508, 553, 555, 566, 570; and House Joint Resolutions Nos. 2, 22, 32, and 46.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

March 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times at length and concurred in, as amended, House Bill No. 598, introduced by Haines, et al, title

and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and consider House Bill No. 616 on Second and Third Reading this day. Motion carried.

Darrow moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate to consider House Joint Resolution No. 26. Motion carried.

Harrison moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 34. Motion carried.

The Speaker appointed the following committee: Marks, Chairman; Giesick and Laas.

Bardanoue moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 490. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 617, introduced by Bardanoue, Fagg, Darrow, Schoonover. A bill for an act entitled: "An act appropriating moneys to the Department of Lands and Investments to implement the provisions of House Bills 250 and 243 and Senate Bill 70; providing an effective date." Referred to Committee on Appropriations.

House Resolution No. 22, introduced by Perry, Wolf, Forester, Fagg, Darrow, Lockrem. A resolution of the House of Representatives of the State of Montana directing the Department of Administration to keep areas of the capitol open during Saturdays and Sundays of the summer months. Referred to Committee on State Administration.

House Resolution No. 21, introduced by Campbell, Haines, Ainsworth, Fitzgarrald, Norman, Laas. A House Resolution of the House of Representatives acknowledging the song, "Old Montana" and recognizing it as worthy of taking its place in the musical history of Montana. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Norman in the Chair. Committee arose.

House resumed: Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 601 be passed to the bottom of the Board.

That House Bill No. 615 be amended in the title by striking the

period and inserting in lieu thereof the following: “; and providing an effective date.”,

And be further amended by adding a new section as follows: “Section 2. This act shall become effective upon passage and approval.”

And, as amended, do pass.

That House Bill No. 616 do pass.

That House Bill No. 601 do not pass.

That the Committee rise and report.

NORMAN, Chairman

Report adopted.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, were disposed of in the following manner:

Senate Bill No. 56 was concurred in by the following vote:

Ayes: Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Christiansen, Cox, East, Eggebrecht, Ellerd, Falkenstern, Gerke, Harper, Healy, Himsl, Jackson, Johnston, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McNamer, Marbut, Mehrens, Menahan, Murphy, J. E., Murphy, T. L., Norman, Olson, Patrick, Prevost, Quilici, Robbins, Schoonover, Shelden, Smith, E. B., Snortland, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 57.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Bardanouve, Burnett, Campbell, Darrow, Devine, Dye, Edland, Fagg, Fasbender, Fitzgarrauld, Forester, Giesick, Glennen, Greely, Haines, Hall, Harrison, Hemstad, Hodges, Keller, Knudsen, Lockrem, Lund, McKittrick, Marks, Mather, Nichols, Parrish, Perry, Nelstead, Scott, Selstad, Smith, C. M., Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Wolf. Total 43.

Absent or not voting: Clemow, Fleming, Gunderson. Total 3.

Excused: Worden. Total 1.

Senate Bill No. 235 was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Eggebrecht, Ellerd, Falkenstern, Fasbender, Forester, Gerke, Glennen, Gunderson, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McNamer, Marbut, Mehrens, Menahan, Murphy, J. E., Murphy, T. L., Norman, Olson, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Smith, E. B., Snortland, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 69.

Noes: Aber, Asbjornson, Burnett, Campbell, Devine, Dye, East, Edland, Fagg, Fitzgarrauld, Giesick, Greely, Haines, Hall, Keller, Knudsen, Lockrem, Lund, McKittrick, Marks, Mather, Nichols, Patrick, Perry, Nelstead, Scott, Selstad, Smith, C. M., Staigmiller, Swan, Wolf. Total 31.

Absent or not voting: Fleming, Spilde, Sverdsten. Total 3.

Excused: Worden. Total 1.

Senate Bill No. 236 was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Murphy, J. E., Murphy, T. L., Nichols, Olson, Parrish, Patrick, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, Smith, C. M., Smith, E. B., Snortland, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 83.

Noes: Aber, Asbjornson, Burnett, Edland, Forester, Giesick, Haines, Knudsen, Lockrem, Lund, Marks, Mather, Menahan, Norman, Perry, Nelstead, Scott, Wolf. Total 18.

Absent or not voting: Fleming, Spilde. Total 2.

Excused: Worden. Total 1.

Senate Amendments to House Bill No. 254 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zody, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Anderson, Fleming, Gerke, Haines, Harrison, Spilde, Zimmer. Total 7.

Excused: Worden, Total 1.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 615 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 99.

Noes: Brand, T. Murphy, Weeding. Total 3.

Absent or not voting: Spilde. Total 1.

Excused: Worden. Total 1.

House Bill No. 616 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrauld, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer. Mr. Speaker. Total 97.

Noes: Gerke, Hall, Himsl, Staigmiller, Zody. Total 5.

Absent or not voting: Spilde. Total 1.

Excused: Worden. Total 1.

MOTIONS AND RESOLUTIONS

Fagg moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 423. Motion carried.

The Speaker appointed the following committee: Fagg, Chairman; Snortland, Fleming.

The Speaker appointed the following Conference Committee to consider Senate Amendments to House Bill No. 61: Selstad, Aber, and Schoonover.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 490: Falkenstern, J. Murphy, Laas.

The Speaker appointed the following Free Conference Committee on House Joint Resolution No. 26: Darrow, Chairman; Marbut, Fasbender.

March 1, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 475, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 2:25 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

Harrison moved that the House adjourn until 1:30 p.m., March 2, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FIFTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana

March 2, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

On roll call all members were present except Patrick, Worden, excused.

SPECIAL ORDERS OF THE DAY

Necrology Committee Memorial Services

Invocation by the Reverend Roy Bergquist.

Editorial by Representative Forester:

Perhaps one of the greatest of all human frailties is our seeming inability to pay honor to our fellow men during their lifetime. How many times after one has passed away have we thought, "If only I had told him . . ."

These men were of a legion of men throughout Montana's history who have felt the need to do something beyond the norm . . . who have seen the needs of others . . . felt that unexplainable call to contribute to those outside his immediate circle of interest. It is true that they were not of that relatively small group of public servants who are instantly recognized because of their position as a governor, or senator, or congressman. But they were men who were willing to leave the safe warm existence of families in which they were loved and communities in which they were successful and respected to venture into a world where hard work is the first requirement and thanks are seldom received. Every one of us has a responsibility to serve our fellow men with whatever God-given abilities we possess. For these men that service was in government and in the legislative process. They were good legislators, but that is not really the point. The point for us to remember is that they recognized their responsibility and did something about it

How little we have honored those men and women who, though they may have felt the pull of that someone-else-will-do-it syndrome, have thrust it aside. That they lived and laughed and loved and cared is perhaps the best that can be said of anyone. It can and should be said of these men, and now how inadequate it sounds and how late we have waited to say it.

To the family and friends of these men, our heartfelt sympathy. To them . . . our eternal gratitude.

Music by Representative and Mrs. Cox, accompanied by Senator Rehberg at the organ.

The hour glass is an emblem of human life. Behold how swiftly the sands run, and how rapidly our lives are drawing to a close. We cannot without astonishment observe the little particles which are contained in this machine—how they pass away almost imperceptibly; and yet, to our surprise, in the short space of an hour they are all exhausted. This is the state of man: Today he puts forth the tender leaves of hope; tomorrow blossoms, and bears his blushing honors thick upon him; the third day comes a frost, a killing frost and—when he thinks, good easy man, full surely his greatness is a-ripening—nips his root, and then he falls, like autumn leaves, to enrich our mother earth.

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the State of Montana of the Forty-second Legislative Assembly record the passing of the distinguished former members of this body;

WHEREAS, it is fitting and proper that the outstanding records and accomplishments of the late Representatives be placed on record in this Assembly, and the following facts relative to their careers are hereby noted:

PAUL E. BRENNER

WHAT MAN IS HE THAT LIVETH AND SHALL NOT SEE DEATH?
SHALL HE DELIVER HIS SOUL FROM THE HAND OF THE GRAVE?

Paul E. Brenner, a former Montana legislator of Whitehall, died December 1, 1970, in a Helena hospital at the age of 75. Mr. Brenner was born in Culver, Kansas, and came to Montana in 1916 and lived in the Milligan Canyon area on his farm. He later moved to a ranch on the North Boulder River and lived there until his death.

Mr. Brenner served on the Agriculture Adjustment Act Board until he resigned to run for State Representative and served as such in the 1961, 1963 and 1965 sessions. During World War II he served on the Jefferson County Draft Board and the Farmers Home Administration Board. He also served as school trustee for the Eureka District and the Cardwell District.

Survivors include his widow, Edith; three step-children and four brothers.

PHILIP C. DUNCAN

MAN WALKETH IN A VAIN SHADOW; HE HEAPETH UP RICHES,
AND CAN NOT TELL WHO SHALL GATHER THEM.

District Judge Philip C. Duncan, 64, died May 9, 1970, in his chambers in the Beaverhead County Courthouse. Born 1905 at Virginia City, the son of State Senator and Mrs. M. M. Duncan, he made his home in the southwestern part of Montana.

Mr. Duncan practiced law from 1929-1952. He was elected to the House of Representatives from Jefferson County in 1945 and was re-elected in 1947 and 1949. During his last session in the House he served as chairman of the House Appropriations Committee. In 1951 Mr. Duncan was elected to the Senate.

He served as District Judge of the Fifth Judicial District of the State of Montana beginning in 1952. He was a member of the Advisory Committee to the Supreme Court of Montana, the Rules of Civil Procedure Committee and the Rules of Appellate Procedure Committee. Mr. Duncan was also a member of the Montana Rules Commission and president of the Montana Judges Association. At the time of his death he was chairman of the Sentence Review Board of the Montana State Prison.

Mr. Duncan was a member of Masonic Lodge number 1 of Virginia City and Royal Arch Masons of Jefferson Chapter number 32.

He is survived by his wife, Kathryn, two sons, Rodrick M. and David H.; and two daughters, Mrs. Joseph Grady and Mrs. Thomas Erdie; a brother, sister and several grandchildren, nieces and nephews.

RALPH E. GETTER

WHEN HE DIETH, HE SHALL CARRY NOTHING AWAY; HIS
GLORY SHALL NOT DESCEND AFTER HIM.

Ralph E. Getter, former State Representative, was killed in a plane crash December 19, 1969. With Mr. Getter were his wife, Marie, and sons, Glenn and Roger.

Mr. Getter was born in Cut Bank and was president of Getter Trucking and the past president of the Montana Trucking Association.

He served for Glacier County as representative in the 1967 session.

During World II he was in the United States Navy. He was a member of the Elks, Masonic Shrine, Scottish Rite and VFW.

Survivors include a son, Bill, and daughter, Nancy; a sister and two brothers.

WILLIAM S. GOAN

NAKED CAME HE INTO THE WORLD, AND NAKED SHALL HE RETURN.

Former Representative from Yellowstone County William S. Goan was killed in a plane crash August 26, 1969. He was 48.

Mr. Goan served in the House in 1961, 1963, 1967 and 1969. He was chairman of the powerful Ways and Means Committee during the forty-first legislative session.

He was president of Wy-Mont Beverages, Inc., and Artificial Ice and Storage Co.

He served in the United States Air Force.

He is survived by his widow, Dayle; four sons, three daughters, a brother and his mother.

RONALD W. HOLTZ

MAN DIETH, AND WASTETH AWAY; YEA, MAN GIVETH UP THE GHOST, AND WHERE IS HE?

Cascade County Legislator, Ronald W. Holtz, 61, died August 12, 1969, in a Great Falls hospital.

Born March 29, 1908, in Weiser, Idaho, he came to Montana with his parents when he was six years old. They homesteaded in the Portage area and in 1933 he began farming.

He served eight terms in the Montana House of Representatives and in the forty-first session he served on the Agriculture and Irrigation Committee and the Townships and Counties Committee.

Earlier he had been secretary of the Farmers Union Elevator at Portage for 27 years and president of the Farmers Union Oil Company. Mr. Holtz had been chairman of the Cascade County Agriculture Stabilization and Conservation Service Committee.

Survivors include two sons, Larry L. and Donald R.; a foster daughter, Mrs. Carl Bahr; three sisters, three brothers and several grandchildren, nieces and nephews.

JOHN J. JEWELL

ALL FLESH SHALL PERISH TOGETHER, AND MAN SHALL TURN AGAIN UNTO DUST.

A former legislator of Fergus County, John J. Jewell died January 5, 1970, at his residence. He was 84. Born in Decorah, Iowa, in 1886, he came to Montana in 1908 and began practicing law.

Mr. Jewell organized the Farmers Hobson Elevator and Milling Co. He was chairman of the Democratic County Central Committee for years. In 1913 he prepared and filed the first petition for the creation of Judith County (Judith Basin).

He represented Fergus County in the thirteenth legislative assembly in 1912. He was chief clerk for the House of Representatives and was also employed by the State Board of Equalization. Later he became counsel for the Montana Liquor Board and following that position he served as the executive secretary to Governor Roy E. Ayers.

In 1941 Mr. Jewell managed the Montana Automobile Dealers Association, at which time he drafted and lobbied through the legislature the present automobile title law of Montana. In 1953 he resigned to become counsel for the Montana Citizens Freight Rate Association. He also lectured for the Montana Historical Society.

EDWARD C. MULRONEY

AS THE WATERS FAIL FROM THE SEA, AND THE FLOOD
DECAYETH AND DRIEDTH UP; SO MAN LIETH DOWN, AND
RISETH NOT; TILL THE HEAVENS BE NO MORE, THEY SHALL
NOT AWAKE, NOT BE RAISED OUT OF THEIR SLEEP.

A Spanish American War veteran and Missoula lawyer, died February 1, 1970, at the age of 92. Mr. Mulroney was born in Fort Dodge, Iowa.

In 1905 he served in the ninth Montana Legislature, and from 1909 until 1913 he was the Missoula County Attorney.

He was dean of the legal profession in Montana and had been judge advocate for the Montana Department of the United States Spanish American War Veterans. He was a life member of the Montana Trial Lawyers Association and a member of the Missoula Chamber of Commerce, Elks Hellgate Lodge No. 383, and he was a Golden Age Eagle.

Mr. Mulroney was the last charter member of the Missoula council of the Knights of Columbus and served as grand knight in 1914.

He is survived by three granddaughters, a daughter-in-law and a great grandson.

WILLIAM NELSON

THE LORD GAVE, AND THE LORD HATH TAKEN AWAY;
BLESSED BE THE NAME OF THE LORD.

A former representative and resident of Harlowton, William Nelson died in a Harlowton hospital on June 19, 1969. Born at Brandon, Minnesota, he homesteaded ten miles south of Barber in 1909.

He represented Golden Valley County as a state representative in Helena from 1937 through 1959.

Mr. Nelson was a member of the Cavil School Board from 1918 until 1936 and was a charter member and president for many years of the Barber Telephone Co. He also served as president and secretary of the Farmers Union at Barber.

Survivors include the widow, Eveline; two daughters, Mrs. Ole Oakland and Mrs. Harry Thode.

JAMES P. NUGENT

LET US DIE THE DEATH OF THE RIGHTEOUS, AND LET OUR
LAST END BE LIKE THEIRS.

James P. Nugent died in Missoula at the age of 47 of a heart attack

on January 26, 1970. He was born in Butte in 1922 and had moved to Missoula in 1954.

Elected to the House of Representatives in 1966 and re-elected in 1968. At the time of his death he was a member of the Legislative Audit Committee.

In 1963 Mr. Nugent was alderman from Missoula's Second Ward and served as chairman of the city building committee. Earlier he had been a member of the city audit and finance committee and the city lights, water and sewer committee.

In Butte he was a member of the Veterans of Foreign Wars and the Eagles and the Knights of Columbus. He served 28 months with the United States Air Corps in Europe during World War II.

Survivors include his wife, Theresa; three sons, James P., John and Joseph, two daughters, Teri Ann and Tina Marie; his mother, Mrs. Gertrude Nugent of Butte, and a sister.

RICHARD S. O'DAY

LET THY WORK APPEAR UNTO THY SERVANT AND THY GLORY UNTO THEIR CHILDREN. GOD IS OUR GOD FOREVER AND EVER; HE WILL BE OUR GUIDE, EVEN UNTO DEATH.

A former Montana legislator and civic leader, Richard S. O'Day died in Phoenix, Arizona, at the age of 78 on March 11, 1970. Born in Minnesota, he came to Montana in 1915.

In Montana he developed extensive farm holdings and was credited with advancing agriculture in the area through new methods of cultivation.

He was first elected to the Montana House of Representatives in 1927 and served three terms. He was also elected to the Senate and served until 1938. Appointed to the Board of Park Commissioners in 1935 and 1937.

Mr. O'Day was named to the North Montana State Fair board of directors in 1949 and later became the vice president. His service to Great Falls began with his appointment to the city park board, of which he served as vice president, and he was later director of the Great Falls Community Chest.

Mr. O'Day was a fourth degree member of the Knights of Columbus, a 50-year member of the Elks and a member of the Meadow Lark Country Club.

Surviving are the widow, Gertrude, and a son, Richard; grandchildren and great grandchildren and three sisters.

JOHN H. PIERCE

AND LET THE BEAUTY OF THY LORD OUR GOD BE UPON US, AND ESTABLISH THOU THE WORK OF OUR HANDS UPON US. YEA, THE WORK OF OUR HANDS ESTABLISH THOU IT.

A former Montana legislator died January 9, 1971, in Helena of a heart ailment. Born in Billings, Mr. Pierce lived most of his life in that area.

At the time of his death Mr. Pierce was serving his eighth session as a legislator. He was speaker pro tem for the House of Representatives and chairman of the Committee on Business and Industry.

Mr. Pierce was president of George R. Pierce, Inc., a mobile home firm, and he was secretary treasurer of the Pierce Flooring, a carpet and furniture firm.

He served in the army from 1942 to 1945 and was president of the Uniformed Bodies of Al Bedoo Shrine in 1960.

He is survived by his wife, Lucille, and one son.

TOM STIMATZ

IT IS GOOD THAT A MAN SHOULD HOPE, AND QUIETLY WAIT FOR THE SALVATION OF THE LORD. THE WILL OF GOD IS ACCOMPLISHED, BLESSED BE THE NAME OF THE LORD.

A former Montana state legislator from Silver Bow County, Tom Stimatz died November 11, 1970, in a Butte hospital. He was born in 1883 in Yugoslavia and came to Silver Bow in 1924. He was 87.

He served one term in the legislature during 1935 to 1937 as a representative.

Survivors include a daughter, Mrs. Farrell Harper; sons Harold and Lloyd; and a sister, Anna; several grandchildren and great grandchildren.

FRED V. WATTS

ALMIGHTY FATHER, INTO THY HANDS WE COMMEND THE SOUL OF OUR DEPARTED FRIENDS.

Fred V. Watts, a former legislator, died April 21, 1970, of an apparent heart attack. He was 81 years old.

Mr. Watts was graduated from Drake University at Des Moines, Iowa, in 1908. He came to Montana in 1910 and homesteaded on Indian Creek south of Melstone. He practiced law there until 1928.

He was honored by the Montana Bar Association for fifty years of active practice in Montana. He was also a 50-year member and Past Master of Crescent Lodge No. 117, AF&AM, also a 50-year member and past Patron of Garland Chapter No. 90, O.E.S., both of Melstone. He was a member of the Loyal Order of Moose, Lodge No. 1098, and Knights of Pythias.

Mr. Watt served one term in the Montana House of Representatives in 1943 representing Musselshell County.

Survivors include his wife, Sara; two sons, Eldred and Meredith; several grandchildren and four brothers.

NOW, THEREFORE, BE IT RESOLVED, that a copy of this Memorial be entered upon the Journal of the House, and that original copies thereof, signed by the Speaker of the House, be transmitted to the surviving spouse or parents, and in the absence of either, to the oldest surviving child, hereinabove designated, and that an original copy of this Memorial be filed with the Historical Society of the State of Montana.

NECROLOGY COMMITTEE:

R. L. FORESTER, Chairman

BOB BROWN, Vice-Chairman

ATTEST:

JAMES P. LUCAS
Speaker of the House

JAMES T. HARRISON, Jr.
Majority Floor Leader

BILL CHRISTIANSEN
Minority Floor Leader

Benediction by Reverend Bergquist.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fifty-seventh Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 2, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 66.

MARKS, Chairman

March 2, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 79, 243, 333.

MARKS, Chairman

March 1, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 142, 412, 30, 104, 22, 559, 397, 203, 208, 29, 112, 69, 166, 149, 190, 239, 11, 279, 430, 266, 143, House Joint Resolution No. 30.

MARKS, Chairman

March 2, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 238, 329, 360, 313, 320, 364, 137, 556, 31, 348, 363, 541, 60, 481, 410, 273, 377, House Joint Resolutions Nos. 39, 40, 50, 12, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 10:00 o'clock, a.m., delivered to the Governor for his approval.

MARKS, Chairman

March 2, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 501, 416, 373, 437, 204, 466, 561, 446, 477, 68, 200, 449, 110, 185, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 10:00 o'clock, a.m., delivered to the Governor for his approval.

MARKS, Chairman

I have examined House Bill No. 208, introduced by me, and find the same to be correct.

COX

I have examined House Bill No. 11, introduced by me, and find the same to be correct.

MATHER

I have examined House Bill No. 29, introduced by me, and find the same to be correct.

HIMSL

I have examined House Bill No. 30, introduced by me, and find the same to be correct.

HIMSL

I have examined House Bill No. 149, introduced by me, and find the same to be correct.

ROBBINS

I have examined House Bill No. 142, introduced by me, and find the same to be correct.

CHRISTIANSSEN

I have examined House Joint Resolution No. 30, introduced by me, and find the same to be correct.

BAETH

I have examined House Bill No. 166, introduced by me, and find the same to be correct.

KNUDSEN

I have examined House Bill No. 266, introduced by me, and find the same to be correct.

LANTHORN

I have examined House Bill No. 397, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 69, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 559, introduced by me, and find the same to be correct.

E. SMITH

I have examined House Bill No. 239, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 203, introduced by me, and find the same to be correct.

CAMPBELL

I have examined House Bill No. 190, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 412, introduced by me, and find the same to be correct.

NICHOLS

I have examined House Bill No. 143, introduced by me, and find the same to be correct.

NICHOLS

I have examined House Bill No. 112, introduced by me, and find the same to be correct.

BRADLEY

I have examined House Bill No. 279, introduced by me, and find the same to be correct.

McKITTRICK

I have examined House Bill No. 22, introduced by me, and find the same to be correct.

YARDLEY

I have examined House Bill No. 430, introduced by me, and find the same to be correct.

FAGG

I have examined House Bill No. 104, introduced by me, and find the same to be correct.

ULMER

I have examined House Bill No. 66, introduced by me, and find the same to be correct.

DARROW

I have examined House Bill No. 333, introduced by me, and find the same to be correct.

KOLSTAD

I have examined House Bill No. 243, introduced by me, and find the same to be correct.

FAGG

I have examined House Bill No. 79, introduced by me, and find the same to be correct.

ROBBINS

The Speaker signed the following bills in open session: House Bills Nos. 66, 79, 243, 333, 142, 412, 30, 104, 22, 559, 397, 203, 208, 29, 112, 69, 166, 149, 190, 239, 11, 279, 430, 266, 143, House Joint Resolution No. 30, and Senate Bills Nos. 321, 247, 170, 281, 202, 288, 92, 71, 12, 294, 19, 4, 253, 112, 242, 128, 111, 329, 116, 318, 219, 20, 113, 144, 7, 109, 117, Senate Joint Resolution No. 22.

March 2, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 15, respectfully report as follows: That House Joint Resolution No. 15 do pass.

HIMSL, Chairman

Report Adopted.

March 2, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 16, respectfully report as follows: That House Joint Resolution No. 16

Be amended on page 1, lines 19 and 20 of the original resolution following the word "exceed" by omitting the words and figures "sixty-five thousand dollars (\$65,000)" and inserting in lieu thereof the words and figures "eighty-five thousand dollars (\$85,000)", and

As amended, do pass.

HIMSL, Chairman

Report Adopted.

March 2, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 17, respectfully report as follows: That House Joint Resolution No. 17 do pass.

HIMSL, Chairman

Report adopted.

March 2, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 18, respectfully report as follows: That House Joint Resolution No. 18 do pass.

HIMSL, Chairman

Report adopted.

March 2, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 19, respectfully report as follows: That House Joint Resolution No. 19 do pass.

HIMSL, Chairman

Report adopted.

March 2, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 20, respectfully report as follows: That House Joint Resolution No. 20 do pass.

HIMSL, Chairman

Report adopted.

March 2, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 21, respectfully report as follows: That House Joint Resolution No. 21 do pass.

HIMSL, Chairman

Report adopted.

March 2, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 27, respectfully report as follows: That House Joint Resolution No. 27 do not pass.

HIMSL, Chairman

Himsl moved for adoption of the committee report.

As a substitute motion, Parrish moved that House Joint Resolution No. 27 be printed and placed on Second Reading. Motion failed.

The committee report was adopted.

March 2, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 28, respectfully report as follows: That House Joint Resolution No. 28 do not pass.

HIMSL, Chairman

Report adopted.

March 2, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 20, respectfully report as follows: That House Resolution No. 20 be adopted.

SWAN, Chairman

Report adopted.

HOUSE RESOLUTION NO. 20

INTRODUCED BY TOWE, JACKSON, SWAN, ULMER

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE LEGISLATIVE COUNCIL TO CONDUCT A COMPREHENSIVE STUDY OF THE STATUTES RELATING TO INSURANCE TO ASCERTAIN WHETHER HEALTH SERVICE CORPORATIONS SHOULD BE BROUGHT UNDER THE JURISDICTION OF THE INSURANCE COMMISSIONER.

WHEREAS, as of now, health service corporations are not under the jurisdiction of the insurance commissioner, and

WHEREAS, the said corporations are not amenable to the insurance code, title 40, R.C.M., 1947, and

WHEREAS, these programs are similar to insurance plans now covered by the insurance code, title 40, R.C.M., 1947, and under the jurisdiction of the insurance commissioner.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council is directed to conduct a comprehensive study of the insurance code statutes to ascertain whether the health service corporations which offer services similar to health insurance plans should not justifiably be brought under the jurisdiction of the insurance commissioner and submit a written report and any necessary implementing legislation to the Forty-Third Legislative Assembly.

BE IT FURTHER RESOLVED, that the chief clerk of the House of Representatives is directed to send a copy of this resolution to the executive director of the Legislative Council.

March 2, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 21, respectfully report as follows: That House Resolution No. 21 be adopted.

SWAN, Chairman

Report adopted.

HOUSE RESOLUTION NO. 21

INTRODUCED BY CAMPBELL, HAINES, AINSWORTH,
FITZGARRALD, NORMAN, LAAS

A HOUSE RESOLUTION OF THE HOUSE OF REPRESENTATIVES ACKNOWLEDGING THE SONG, "OLD MONTANA" AND RECOGNIZING IT AS WORTHY OF TAKING ITS PLACE IN THE MUSICAL HISTORY OF MONTANA.

WHEREAS, Montana is a many-splendored State, rich in history and tradition, abounding in beauty and scenic pleasures, which in all of its present day majesty seems to wait like a sleeping giant to hear its virtues extolled in word and song, and

WHEREAS, any such musical composition, to do justice to Montana and its people, would need to portray the storied legends of its frontier days, its Indian history, the imperishable work of its artists and the esthetic values of its prairies, Montana's wildlife, water, endless and unreachable skies along with the hard working, independent and friendly populace, which fused together make Montana a true Treasure State, and

WHEREAS, John Campbell, son of the late Senator John L. Campbell of Missoula County, and Betty Crowley, a granddaughter of Cornelius O'Donnell, one of the first settlers in Deer Lodge County, have composed a new song entitled "Old Montana", and

WHEREAS, "Old Montana" was sung in the House of Representatives on March 1, 1971, and acclaimed as an outstanding musical composition.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the musical composition, "Old Montana", be recognized as a significant addition to the musical history of the State of Montana and that it be acknowledged as an appropriate addition to the beloved and irreplaceable present state song.

March 2, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 22, respectfully report as follows: That House Resolution No. 22 be not adopted.

SWAN, Chairman

Report adopted.

March 2, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 600, respectfully report as follows: That House Bill No. 600 do not pass.

NICHOLS, Chairman

Nichols moved for adoption of the committee report.

As a substitute motion, Darrow moved that House Bill No. 600 be printed and placed on Second Reading.

As a motion for all motions pending, Darrow moved that House Bill No. 600 be re-referred to the Committee on Appropriations. Motion carried.

MESSAGES FROM THE SENATE

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate suspended Joint Rule 5-4 and requests the House to return House Bills Nos. 140, 141, and 144 for further consideration.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House accede to the request of the Senate for return of House Bills Nos. 140, 141, 144. Motion carried.

REPORTS OF STANDING COMMITTEES

March 2, 1971

Mr. Speaker: We, your committee on Appropriations, having had

under consideration House Bill No. 617, respectfully report as follows: That House Bill No. 617

Be amended in the title by striking on page 1, line 6, the following material: "bills 250 and 243 and senate bill" and inserting in lieu thereof the material "bill 243 and senate bills 250 and", and

Further amend on page 1, section 1, line 14, after the word "house" by striking the material "bills 243 and 250 and senate bill 70" and inserting in lieu thereof the following material: "bill 243 and senate bills 250 and 70", and

As amended, do pass.

NICHOLS, Chairman

Report adopted.

March 2, 1971

Mr. Speaker: We, your committee on Appropriations, having had under consideration House Bill No. 610, respectfully report as follows: That House Bill No. 610

Be amended in the title by striking on page 1, lines 16 and 17, after the material "bonds;" the following words "eliminating the maximum interest rate of such bonds" and inserting in lieu thereof the following material: "providing an interest rate", and

Further amend on page 1, section 1, line 24, after the word "Section" by inserting the figure "1" before the comma; and

Further amend on page 4, section 4, line 7, after the word "of" by striking the word "definite" and inserting in lieu thereof the word "definitive"; and

Further amend on page 4, section 4, lines 8 and 9, after the word "interest" by striking the material "at such rate or rates not exceeding five and one-half per centum (5½%) per annum" and inserting in lieu thereof the following material: "not to exceed the legal rate for state bonds"; and

Further amend on page 4, section 6, line 23, after the word "treasury" by striking the word "and"; and

Further amend on page 8, section 6, line 8, by striking the word "section" and inserting in lieu thereof the word "sections"; and

As amended, do pass.

NICHOLS, Chairman

Nichols moved for adoption of the committee report.

Ulmer made a substitute motion that the committee report be not adopted.

Haines moved the previous question. Motion carried.

The substitute motion failed. Thereupon, the report was adopted.

March 3, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 66 and 333, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 2:50 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

The Speaker signed the following Senate bills in open session: Nos. 93, 21, 209, 54, 229, 183, 180, 236, 246, 179.

March 2, 1971

Mr. Speaker: We, your committee on Business and Industry, having had under consideration House Resolution No. 17, respectfully report as follows: That House Resolution No. 17 be adopted.

SPILDE, Vice-Chairman

Report adopted.

HOUSE RESOLUTION NO. 17

INTRODUCED BY BROWN, ZIMMER, BAETH, PATRICK, KELLER, FORESTER, J. MURPHY, E. SMITH, ABER, BRADLEY, SCHOONOVER, LUNDGREN, HARPER, HIMSL.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REGISTERING OPPOSITION TO THE PROPOSED CONSTRUCTION OF AN AIR FACILITY NEAR GLACIER NATIONAL PARK WHICH WOULD BE CAPABLE OF ACCOMMODATING THE MOST MODERN TYPE OF AIRCRAFT.

WHEREAS, the Senate and House of Representatives of the state of Montana in 1965 passed a joint resolution supporting the construction of an air facility capable of accommodating the most modern aircraft near East Glacier, and

WHEREAS, there has now been constructed an adequate air facility capable of accommodating the most modern aircraft near Glacier National Park Headquarters at West Glacier, and

WHEREAS, the construction of such a facility at East Glacier would result in an unnecessary duplication of facilities and expenditure of funds, and

WHEREAS, the construction of such a facility at East Glacier would be impractical and unnecessary due to the distance from any entrance to Glacier National Park and the headquarters and major tourist facilities of Glacier National Park.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the House of Representatives request the Federal Government to discontinue all efforts directed toward authorization and construction of an air facility near East Glacier, Montana.

BE IT FURTHER RESOLVED, that the House of Representatives believes that such a facility is not in the best interests of the people of the state of Montana, or the orderly development and utilization of Glacier National Park by tourists.

BE IT FURTHER RESOLVED, that the Secretary of State is instructed to send copies of this resolution to the President, to each member of the Montana Congressional Delegation, to the Secretary of the Interior, and to the Administrator of the Federal Aviation Agency, and to the Montana Aeronautical Commission.

REPORTS OF SELECT COMMITTEES

March 1, 1971

Mr. Speaker: We, your Enrolling Department, request an additional forty-eight hours to enroll the following House bills: Nos. 249, 589, 168, and House Bill No. 15. Reference joint rules 3-7 (a), page 21.

BETTY GUFFEY

Chief, Engrossing and Enrolling

The Speaker granted the time requested.

March 2, 1971

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 497, respectfully report and recommend as follows:

That the House accede to the Senate amendments in the title of the House Bill No. 497;

And further that the House accede to the Senate amendments in sections 4, 11 and 13 of the House Bill No. 497;

That the Senate recede from its amendments to sections 5, 6 and 7;

That House Bill No. 497 be concurred in, as so amended.

For the Senate: GILFEATHER
BOLLINGER
MOORE

For the House: HEMSTAD
NELSTEAD
TOWE

The report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Lanthorn, Lien, Lockwood, Lundgren, McGrath, McKittrick, McNamer, Marbut, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer. Mr. Speaker. Total 82.

Noes: None.

Absent or not voting: Brand, Christiansen, Cox, Fagg, Fitzgarrald, Hemstad, Jackson, Knudsen, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, Marks, Mehrens, Menahan, Sverdsten, Swan, Swanberg, Zody. Total 21.

Excused: Worden. Total 1.

March 2, 1971

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 263, beg leave to report as follows:

That we met this day and considered House Committee of the Whole amendment to Senate Bill No. 263 and recommend as follows:

That House Committee of the Whole amendment be deleted in its entirety and that the following amendment be inserted in lieu thereof:

Amend page 4, line 1 following the word "erected," by deleting the word "of" and inserting in lieu thereof the words "owned and occupied by"

And recommend that the same be adopted.

For the Senate: HANKS
THIESSEN
ROSELL

For the House: FALKENSTERN
KOLSTAD
WATT

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lundgren, McGrath, McKittrick, Marbut, Mather, J. Murphy, T. Murphy, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Christiansen, Cox, Darrow, Fagg, Fitzgarrald, Giesick, Himsl, Jackson, Knudsen, Lee, Lombardi, Lund, Lynch, McNamer, Marks, Mehrens, Menahan, Nichols, Olson, Swan. Total 20.

Excused: Worden. Total 1.

March 2, 1971

Mr. President and Speaker of the House:

We, your Joint Conference Committee, having had under consideration House Amendment to Senate Bill No. 99, respectfully report and recommend as follows:

That the House recede from its amendment to Senate Bill No. 99, and the Conference Committee recommends that the bill be concurred in without the House Amendment.

For the Senate: McDONALD
MITCHELL
LYON

For the House: WOLF
GERKE
ULMER

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern,

Fasbender, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Johnston, Keller, Kendalk, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lund, Lundgren, McGrath, McKittrick, Mather, J. Murphy, T. Murphy, Norman, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 82.

Noes: Forester, Lockrem, Marbut, Parrish. Total 4.

Absent or not voting: Darrow, Fagg, Fitzgarrauld, Giesick, Himsl, Jackson, Knudsen, Lee, Lombardi, Lynch, McNamer, Marks, Mehrens, Menahan, Nichols, Olson, Swan. Total 17.

Excused: Worden. Total 1.

March 2, 1971

Mr. President and Speaker of the House:

We, your joint Senate and House Conference Committee on House Bill No. 201, beg leave to report as follows:

That we met this day and considered Senate amendments to House Bill No. 201 and recommend as follows:

That the Senate recede from the Senate amendments dated February 18, 1971, and that the following amendments be inserted in lieu thereof:

On page 12, add a new subsection (g) Service performed in the employ of community action agencies and the delegate agencies of these community action agencies may be entitled to exemption and may be subject to this act with the consent and approval of the Employment Security Commission.

And further amend on page 12 by relettering the remaining subsections to "(H)" on line 3, "(I)" on line 17, and "(J)" on line 23;

And further amend section 1, subsection (n), page 14, line 7, of the approved House Bill, after the word and punctuation "education" by inserting the following new material: "for the purposes of this section,";

Further amend section 1, subsection (n), page 14, lines 8 and 9, after the word "which" by striking the following words and underlining: "is legally authorized in this state to provide a program of education beyond high school."

Further amend section 1, subsection (n), page 14, line 8, after the word "which" by inserting the following:

(1) admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) is legally authorized in this State to provide a program of education beyond high school;

(3) provides an educational program for which it awards a bachelor's or higher degree, or provides a program which is acceptable for full credit toward such a degree, a program of post-graduate or post-doctoral studies, or a program of training to prepare students for gainful employment in a recognized occupation; and

(4) is a public or other nonprofit institution.

(5) Notwithstanding any of the foregoing provisions of this sub-

section, all colleges and universities in this State are institutions of higher education for purposes of this section.

And recommend that the same be adopted.

For the Senate: SIDERIUS
LYNCH
BENNETT

For the House: EAST
MARBUT
LOMBARDI

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lombardi, Lundgren, McGrath, McKittrick, Marbut, Mather, Menahan, J. Murphy, T. Murphy, Norman, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 82.

Noes: Lockrem. Total 1.

Absent or not voting: Darrow, Fagg, Gerke, Giesick, Himsl, Jackson, Knudsen, Lee, Lund, Lynch, McNamer, Marks, Mehrens, Nichols, Olson, Perry, Selstad, Sverdsten, Swan, Swanberg. Total 20.

Excused: Worden. Total 1.

March 2, 1971

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 68 beg leave to report as follows:

That we met this day and considered House amendments to Senate Bill No. 68 and recommend as follows:

That the Senate accede to the following House Committee on Fish and Game amendments dated February 23, 1971:

Amend on page 1, line 8, in the title of the original bill after the word "his" by striking the following material "head, chest, and back" and inserting in lieu thereof the following word: "person", and

Further amend on page 1, line 12, in the title of the original bill, after the word "action" by inserting the following material: "and providing an effective date", and

Further amend on page 1, section 1, subsection 1, line 20, after the word "state" by inserting the following material: "or to accompany any hunter as an outfitter or guide", and

Further amend on page 1, section 1, subsection 1, line 22, after the word "wearing" by striking the following material: "as an exterior garment" and inserting in lieu thereof the following material: "as exterior garments", and

Further amend on page 1, section 1, subsection 1, line 24, after the

word "his", by striking the following material: "head, chest, or back" and inserting in lieu thereof the following word: "person", and

Further amend on page 1 through and including page 2, section 1, subsection 2, line 28 through and including line 2, after the word "color" by striking the material contained therein in its entirety and inserting in lieu thereof the following punctuation ".",

And further amend on page 2, section 1, after the subsection 3, line 10, by inserting the following material: "(4) This act shall become effective May 1, 1972.", and

That the House recede from the following House Committee of the Whole amendments dated February 24, 1971:

Amend in the title, line 8 by inserting after the word "hunter" the words "or blaze";

Amend in the title, line 11 by inserting after the word "hunter" the words "or blaze";

Further amend section 1, page 1, line 27 of the approved printed bill by inserting after the word and punctuation "Hunter" the words "or blaze", and

Recommend that the same be adopted.

For the Senate: DZIVI
FLYNN
CARL

For the House: WHITNEY
LANTHORN
JOHNSTON

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarald, Fleming, Forester, Glennen, Greeley, Gunderson, Hall, Harper, Healy, Hemstad, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Marbut, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 82.

Noes: Lien. Total 1.

Absent or not voting: Bardanouve, Clemow, Darrow, Fagg, Gerke, Giesick, Haines, Harrison, Himsl, Jackson, Kvaalen, Lee, Lynch, McNamer, Marks, Mather, Mehrens, Olson, Swan, Swanberg. Total 20.

Excused: Worden. Total 1.

March 1, 1971

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 106, beg leave to report as follows:

That we met this day and considered Senate amendments to House Bill No. 106 and recommend as follows:

That the House accede to the Senate amendments dated February 18, 1971, numbered (1), (2), (3), (4), (5), and (7), and

Further amend Senate amendments to House Bill No. 106, section 1, subsection (3), page 7, line 19 following the word "be" by striking the material "one thousand five hundred dollars (\$1,500)" and inserting in lieu thereof the material "two thousand dollars (\$2,000)", and

Recommend that the same be adopted.

For the Senate: BOYLAN
HANKS
HIBBARD

For the House: SCOTT
SELSTAD
McKITTRICK

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Marbut, J. Murphy, T. Murphy, Nichols, Patrick, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zody, Mr. Speaker. Total 77.

Noes: Brand, Eggebrecht, Hall, Norman, Parrish, E. Smith, Spilde, Zimmer. Total 8.

Absent or not voting: Fagg, Gerke, Himsl, Jackson, Knudsen, Kvaalen, Lanthorn, Lee, Lynch, McNamer, Marks, Mather, Mehrens, Menahan, Olson, Perry, Robbins, Swanberg. Total 18.

Excused: Worden. Total 1.

March 2, 1971

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 98, beg leave to report as follows:

That the House accede to the Senate Committee of the Whole Amendments dated February 8, 1971.

And recommend that the same be adopted.

For the Senate: DZIVI
TURNAGE
HAFFERMAN

For the House: KELLER
HARRISON
LOMBARDI

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Bardanouve, Bennett, Brown, Burnett, Campbell, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Gunderson, Haines, Hall, Harrison, Healy, Hemstad, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Lanthorn,

Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Mather, Menahan, J. Murphy, Nichols, Norman, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Staig-miller, Sverdsten, Swan, Ulmer, Warfield, Watt, Whitney, Yardley, Zody, Mr. Speaker. Total 70.

Noes: Baeth, Bradley, Brand, Christiansen, Greeley, Harper, Laas, Lien, Marbut, T. Murphy, Parrish, Patrick, Shelden, Spilde, Towe, Weeding, Zimmer. Total 17.

Absent or not voting: Clemow, Ellerd, Fagg, Gerke, Himsl, Jackson, Kvaalen, Lee, Lynch, McNamer, Marks, Mehrens, Olson, Robbins, Swanberg, Wolf. Total 16.

Excused: Worden. Total 1.

March 2, 1971

Mr. President and Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 315, respectfully report and recommend as follows:

That the House accede to the Senate Committee on Commerce and Labor amendment adopted February 17, 1971.

For the Senate: SIDERIUS
HAFFERMAN
TURNAGE

For the House: EAST
WOLF
BAETH

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greeley, Haines, Hall, Harper, Harrison, Hemstad, Hodges, Johnston, Keller, Kendall, Kolstad, Kosen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Marbut, Mather, Menahan, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staig-miller, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Fagg, Gerke, Gunderson, Healy, Himsl, Jackson, Knudsen, Kvaalen, Lee, Lynch, McNamer, Marks, Mehrens, J. Murphy, Olson, Robbins, Spilde, Swanberg. Total 18.

Excused: Worden. Total 1.

March 2, 1971

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee on House Bill No. 93, beg leave to report as follows:

That we met this day and considered Senate Committee of the Whole Amendment to House Bill No. 93 and recommend as follows:

Amend on page 1, line 8 of the title of the bill after the word "to" by

striking the words and figures "two dollars and fifty cents (2.50)" and inserting in lieu thereof the words and figures "one dollar seventy-five cents (1.75)", and

Further amend on page 1, section 1, line 22 of the bill by deleting the words and figures "two dollars and fifty cents (2.50)" and inserting in lieu thereof the words and figures "one dollar and seventy-five cents (1.75)",

And recommend the same be adopted.

For the Senate: GROFF
SHEEHY
STEIN

For the House: WOLF
LANTHORN
LAAS

Wolf moved for adoption of the Conference Committee report.

As a substitute motion, Watt moved that the Conference Committee report be not adopted and that the Committee be discharged and a new Committee be appointed.

The motion carried by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-danouve, Bennett, Bradley, Brand, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fas-bender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunder-son, Haines, Hall, Harper, Harrison, Hemstad, Hodges, Johnston, Kendall, Kolstad, Kosena, Lanthorn, Lien, Lockwood, Lombardi, Lund, McGrath, Mc-Kittrick, Marbut, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmiller, Swan, Towe, Ulmer, Warfield, Watt, Weed-ing, Whitney, Wolf, Zody, Mr. Speaker. Total 75.

Noes: Laas, Yardley. Total 2.

Absent or not voting: Brown, Campbell, Fagg, Gerke, Healy, Himsl, Jackson, Keller, Knudsen, Kvaalen, Lee, Lockrem, Lundgren, Lynch, Mc-Namer, Marks, Mather, Mehrens, Menahan, Olson, Prevost, Scott, Spilde, Sverdsten, Swanberg, Zimmer. Total 26.

Excused: Worden. Total 1.

The Speaker appointed the following committee: Giesick, Aber, Lien.

MESSAGES FROM THE GOVERNOR

March 1, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I have this day signed the following measures:
House Bills Nos. 188 and 475.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day recommended that House Bill No. 107 be not concurred in, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bills Nos. 140, 141, and 144 have been concurred in as amended, and the bills are herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the following Joint Conference Committee reports, and the reports are herewith transmitted to the House.

Joint Conference Committee Report on House Bill No. 98.

Joint Conference Committee Report on House Bill No. 315.

Free Joint Conference Committee Report on House Bill No. 93.

Joint Conference Committee Report on House Bill No. 201.

Joint Conference Committee Report on House Bill No. 497.

Joint Conference Committee Report on Senate Bill No. 68.

Joint Conference Committee Report on Senate Bill No. 263.

Free Conference Committee Report on Senate Bill No. 133.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 423.

Senator Sheehy—Chairman

Senator Goodheart

Senator Turnage

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 34.

Senator Bertsche—Chairman
Senator Bollinger
Senator Moritz

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 61.

Senator Reardon—Chairman
Senator Graham
Senator Northey

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a Free Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Joint Resolution No. 26.

Senator James—Chairman
Senator Vainio
Senator Lyons

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 490.

Senator Lynch—Chairman
Senator Gilfeather
Senator McCallum

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the Joint Conference Committee report on House Bill No. 106, and the report is herewith transmitted to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House bills, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 419, introduced by Giesick, et al

House Bill No. 286, introduced by Watt, et al

House Bill No. 517, introduced by Yardley

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 2, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in, as amended, the following House Bills, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 552, introduced by Reapportionment Committee (by request.)

House Bill No. 434, introduced by Haines

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 455.

Senator Sheehy—Chairman

Senator McKeon

Senator Bennett

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 250 and requests the House to appoint Conference Committee to confer with a like committee from the Senate on said amendments.

The President appointed the following:

Senator McGowan—Chairman

Senator Bertsche

Senator Cochrane

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

March 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 274 and requests the House to appoint a Conference Committee, free, with regards to Chapter 5 and 18 only, to confer with a like committee from the Senate on said amendments.

The President appointed the following:

Senator McKeon—Chairman

Senator Siderius

Senator Stephens

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

March 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 499.

Senator Boylan—Chairman

Senator Sorensen

Senator Carl

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

March 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 204 and requests the House to appoint a Free Conference Committee to confer with a like committee from the Senate on said amendments.

The President appointed the following:

Senator Mitchell—Chairman
Senator Sheehy
Senator Rehberg

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 232 and requests the House to appoint a Free Conference Committee to confer with a like committee from the Senate on said amendments.

The President appointed the following:

Senator Sheehy—Chairman
Senator Siderius
Senator Lowe

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the Speaker appoint a Conference Committee to consider Senate Bill No. 250 with a like committee from the Senate. Motion carried.

The Speaker appointed the following committee: Fagg, Marks and Jackson.

Harrison moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate on Senate Bill No. 204. Motion carried.

The Speaker appointed the following committee: Selstad, Lockrem and Jackson.

Harrison moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate on Senate Bill No. 232. Motion carried.

The Speaker appointed the following committee: Ainsworth, Olson and Norman.

Harrison moved that Senate Bill No. 274 be referred to the Rules Committee. Motion carried.

Keller moved that the Executive Reorganization Committee be directed to investigate the size of staff and amount of payroll of the Executive Reorganization Commission to determine if the work of the Commission has now been substantially completed. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee:

House Bill No. 618, introduced by Darrow, Lundgren, Fagg: A bill for an act entitled: "An act appropriating moneys to the Environmental

Quality Council to implement the provisions of House Bill No. 66; Providing an effective date." Referred to Committee on Appropriations.

House Resolution No. 23, introduced by Brand, Campbell, Warfield, Eggebrecht, Kolstad, Laas, East, Zimmer, Ulmer: A Resolution of the House of Representatives requesting immediate passage of enabling legislation in the interests of national defense and for re-establishment of more efficient mail and rail service to all the people, by providing distribution enroute of all four classes of intransit mail by highly qualified Railway Postal Clerks, in refitted railway postal cars and highway post offices, in Montana and interstate in the United States of America. Referred to Committee on Constitution, Elections and Federal Relations.

House Resolution No. 24, introduced by Darrow, Towe, Fagg, Cox, Forester Glennen, Nelstead, Norman, Bradley, McKittrick, Staigmiller, Quilici, Lynch, Harper, Lundgren, Ainsworth, J. Murphy, McNamer, Johnston, Marbut, Snortland, Burnett, Robbins, Yardley, Keller, Fleming, Lien, Shelden, Parrish, Jackson, Wolf, Campbell, Anderson, Laas, Kendall, Warfield, Devine, Zimmer, Schoonover: A Resolution of the House of Representatives of the Forty-second Legislative Assembly of the State of Montana directing that the Board of Health, the Fish and Game Department, the Soil Conservation Service and the Beartooth Resource Conservation District study pollution in Clarks Fork of Yellowstone River caused by current water use practices. Referred to Committee on Environment and Resources.

House Resolution No. 25, introduced by Fagg, Scott, Darrow, Cox, Towe, Forester, Glennen, Nelstead, Norman, Bradley, McKittrick, Staigmiller, Quilici, Harper, Lundgren, Ainsworth, J. Murphy, McNamer, Johnston, Marbut, Snortland, Burnett, Robbins, Yardley, Keller, Fleming, Lien, Shelden, Lien, Schoonover, Wolf, Aber, Parrish, Jackson, Campbell, Anderson, Laas, Kendall, Warfield, Devine, Zimmer: A Resolution of the House of Representatives of the Forty-second Legislative Assembly of the State of Montana to the Honorable Richard M. Nixon, President of the United States; The Honorable Rogers Morton, Secretary of the Interior; the Honorable Clifford Hardin, Secretary of Agriculture; the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from Montana; the Honorable Richard Shoup and the Honorable John Melcher, Representatives from Montana; and the Honorable Forrest H. Anderson, Governor of Montana, urging investigation into ways of restoring public lands disturbed by recent mining exploration in the Beartooth Mountains within the Custer and Gallatin National Forests. Referred to Committee on Environment and Resources.

House Resolution No. 26, introduced by Shelden, Baeth: A Resolution of the House of Representatives of the State of Montana asking the United States Army Corps of Engineers and other federal and state officials to consider the needs of the Town of Rexford, Montana, with regards to an adequate water supply, sewer system and highway underpass. Referred to Committee on Constitution, Elections and Federal Relations.

House Resolution No. 27, introduced by Cox, Nelstead, Giesick, Mather, Christiansen, Fagg, Glennen, Towe, Darrow, Lockrem, Jackson, Forester, Scott, C. Smith, Gerke, Lucas: A Resolution of the House of Representatives of the State of Montana commending and thanking the executive management of "Little Big Man" for its selection and use of Montana for this epic film. Referred to Committee on Business and Industry.

House Resolution No. 28, introduced by Bradley, Darrow, Weeding, Parrish, Anderson, Lien, Swanberg, E. Smith, Towe, Norman, Fagg, Snortland, Swan: A Resolution of the House of Representatives of the State of Montana to the President of the United States, the Secretary of Agriculture and the Montana Congressional Delegation requesting full and adequate public hearings prior to the sale or exchange of federal lands located within the State of Montana. Referred to Committee on Judiciary.

House Resolution No. 29, introduced by Kvaalen, Lund: A Resolution of the House of Representatives of the State of Montana urging the Board of Regents to appoint the executive secretary of the University System as the coordinator of community college districts. Referred to Committee on Education.

House Resolution No. 30, introduced by Marks, Jackson, Mather, Christiansen: A resolution of the House of Representatives of the State of Montana directing the Speaker of the House of Representatives to appoint two (2) Representatives on a bipartisan basis to a Joint Congressional Liaison Mined Land Reclamation Law Committee. Referred to Committee on Environment and Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dye moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Brand in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 355 be concurred in.

That Senate Amendments to House Bill No. 598 be concurred in.

That Senate Bill No. 94 be concurred in.

That the Committee rise and report.

BRAND, Chairman

Report adopted.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, were disposed of in the following manner:

Senate Amendments to House Bill No. 355 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Hemstad, Hodges, Johnston, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Prevost, Quilici, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Towe, Warfield, Watt, Weeding, Wolf, Yardley, Zody. Total 82.

Noes: None.

Absent or not voting: Fasbender, Gerke, Harrison, Healy, Himsl, Jackson, Keller, Knudsen, Lundgren, McNamer, Mather, J. Murphy, Olson, Patrick, Robbins, Schoonover, Swanberg, Ulmer, Whitney, Zimmer, Mr. Speaker. Total 21.

Excused: Worden. Total 1.

Senate Amendments to House Bill No. 598 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Hemstad, Hodges, Jackson, Johnston, Kendall, Kolstad, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, McGrath, McKittrick, Marbut, Marks, Menahan, Nichols, Norman, Perry, Nelstead, Prevost, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Staigmiller, Swan, Towe, Warfield, Watt, Weeding, Wolf, Yardley, Zody. Total 75.

Noes: Anderson, Lynch, Mehrens, T. Murphy, Parrish, Quilici, E. Smith, Sverdsten. Total 8.

Absent or not voting: Fasbender, Gerke, Harrison, Healy, Himsl, Keller, Knudsen, Lundgren, McNamer, Mather, J. Murphy, Olson, Patrick, Robbins, Schoonover, Swanberg, Ulmer, Whitney, Zimmer, Mr. Speaker. Total 20.

Excused: Worden. Total 1.

Swan moved that Senate Bill No. 94 be taken from Third Reading and be returned to Second Reading.

Fagg made a substitute motion that Senate Bill No. 94 remain on Third Reading. Motion carried.

Senate Bill No. 94 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Cox, Darrow, Devine, Dye, Ellerd, Fagg, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Hodges, Keller, Kosen, Lanthorn, Lee, Lockrem, Lund, Lynch, McGrath, McKittrick, Marbut, Menahan, T. Murphy, Nichols, Norman, Parrish, Nelstead, Quilici, Robbins, Scott, Selstad, Staigmiller, Swanberg, Towe, Watt. Total 51.

Noes: Anderson, Aspevig, Bardanouve, Christiansen, Clemow, East, Edland, Eggebrecht, Falkenstern, Fleming, Healy, Hemstad, Jackson, Johnston, Kendall, Kolstad, Kvaalen, Laas, Lien, Lockwood, Lombardi, Mehrens, Perry, Prevost, Schoonover, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Warfield, Weeding, Whitney, Wolf, Yardley, Zody. Total 37.

Absent or not voting: Fasbender, Harrison, Himsl, Knudsen, Lundgren, McNamer, Marks, Mather, J. Murphy, Olson, Patrick, Shelden, Ulmer, Zimmer, Mr. Speaker. Total 15.

Excused: Worden. Total 1.

Paired: Swanberg, aye; Healy No.

MOTIONS AND RESOLUTIONS

Hall moved that the Conference Committee previously appointed on House Bill No. 244 and Senate Bill No. 250 be discharged. Motion carried.

Hall moved that the Speaker Pro Tem appoint a Free Conference Committee to meet with a like committee from the Senate to consider House Bill No. 244 and Senate Bill No. 250 and the same members be appointed as were previously appointed by the Speaker. Motion carried.

The Speaker Pro Tem appointed Fagg, Marks and Jackson.

Hall moved that the House express their appreciation to the Necrology Committee for a very moving and impressive Memorial Service held this day in memory of past members of the House of Representatives. Motion carried.

March 2, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 190, 11, 29, 30, 149, 142, 412, 143, 112, 430, 208, 239, 104, 279, 203, 559, 69, 397, 266, 166, 22, 243, 79, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 4:45 o'clock, p.m., delivered to the Governor for his approval.

BURNETT

March 2, 1971

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Bill No. 274, respectfully report as follows: That the Senate has restricted its appointed Conference Committee to only certain amended sections of the bill, and such restrictions are not provided for under our Joint Rules. Therefore the Senate's request for such a restricted Conference Committee should be refused.

HARRISON, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

Mr. President and Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 19, respectfully report and recommend as follows:

That the House accede to paragraph 1 of the Senate Amendments to section 1.

That the Senate recede from paragraph 2 of the Senate Amendments to section 1.

That the House accede to paragraph 3 of the Senate Amendments to section 3.

For the Senate: BOYLAN
CARL
SORENSEN

For the House: KELLER
KNUDSEN
WARFIELD

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Darrow, Devine, Dye, Eggebrecht, Ellerd, Fasbender, Fitzgarrald, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Hodges, Johnston, Keller, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Nelstead, Quilici, Schoonover, Scott, Snortland, Sverdsten, Towe, Warfield, Watt, Weeding, Wolf, Yardley, Zimmer, Zody, Mr. Speaker. Total 63.

Noes: Brand, East, Edland, Falkenstern, Forester, Harper, Hemstad,

Marbut, Perry, Prevost, Selstad, E. Smith, Staigmiller, Ulmer, Whitney. Total 15.

Absent or not voting: Bardanouve, Clemow, Cox, Fagg, Fleming, Giesick, Healy, Himsl, Jackson, Knudsen, Kolstad, Lee, Lockrem, Lynch, McNamer, Marks, Mehrens, Olson, Patrick, Robbins, Shelden, C. Smith, Spilde Swan, Swanberg. Total 25.

Excused: Worden. Total 1.

March 2, 1971

Mr. President and Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 499, respectfully report and recommend as follows:

That the House accede to paragraph 1 of the Senate amendments to section 1.

That the Senate recede from paragraph 2 of the Senate amendments to section 1.

And as so amended, be adopted.

For the Senate: BOYLAN
CARL
SORENSEN

For the House: KELLER
KNUDSEN
WARFIELD

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Hemstad, Hodges, Johnston, Keller, Kendall, Kolstad, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Marbut, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Perry, Nelstead, Prevost, Quilici, Schoonover, Scott, Selstad, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer Zody, Mr. Speaker. Total 81.

Noes: East. Total 1.

Absent or not voting: Bardanouve, Clemow, Cox, Fagg, Healy, Himsl, Jackson, Knudsen, Kosena, Lee, Lynch, McNamer, Marks, Mehrens, Olson, Patrick, Robbins, Shelden, C. Smith, Spilde, Swanberg. Total 21.

Excused: Worden. Total 1.

MOTIONS AND RESOLUTIONS

Harrison moved that a Free Conference Committee be appointed by the Speaker to meet with a like committee from the Senate on House Amendments to Senate Bill No. 274. Motion carried.

The Speaker appointed the following committee: Mather, Haines, Norman.

Harrison moved that the Speaker appoint a Committee of six to meet

with a like committee from the Senate to consider resolutions for the Legislative Council to consider. Motion carried.

The Speaker appointed the following committee: Ulmer, chairman; Burnett, Cox, McGrath, Hall, and Watt.

Harrison moved that the House adjourn until 2:00 p.m., March 3, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FIFTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana

March 3, 1971

House convened, pursuant to adjournment, at 2:00 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Clemow, Sverdsten, excused:

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fifty-eighth Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 3, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 168.

MARKS, Chairman

I have examined House Bill No. 168, introduced by me, and find the same to be correct.

J. MURPHY

The Speaker signed House Bill No. 168 in open session.

March 2, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 65, 81, 169, 258, 259, 287, 299, 316, 337, 338, 353, 408, 426, 429, 531, 580, 265, House Joint Resolutions Nos. 9, 33, 44.

BROWN

March 3, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was re-

ferred House Joint Resolution No. 30, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day at the hour of 10:30 o'clock, a.m., delivered to the Governor for his approval.

MARKS, Chairman

March 3, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 610, 617, House Joint Resolutions Nos. 15, 16, 17, 18, 19, 20, 21, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

March 3, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that David W. Larrimer, Doorkeeper, be removed from the payroll effective February 27, 1971.

SPILDE, Chairman

Report adopted.

March 3, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 597, respectfully report as follows: That House Bill No. 597 be amended

Nichols moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended on page 1, section 1, line 21, by striking the material "346,530" and inserting in lieu thereof "161,370";

Further amend on page 1, section 1, line 22, by striking the material "845,700" and inserting in lieu thereof "325,380";

Further amend on page 1, section 1, line 23, by striking the material "359,400" and inserting in lieu thereof "181,380";

Further amend on page 1, section 1, line 25, by striking the material "409,740" and inserting in lieu thereof "186,320";

Further amend on page 1, section 1, line 27, by striking the material "1,160,370" and inserting in lieu thereof "443,160";

Further amend on page 1, section 1, line 28, by striking the material "424,500" and inserting in lieu thereof "202,390";

Further amend on page 2 by striking the entire Section 3, lines 2, 3, 4, 5 and 6.

And, as amended, do pass.

NICHOLS, Chairman

Report adopted.

March 3, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 619, respectfully report as follows: That House Bill No. 619 be amended in the title on page 1, line 7, after

the word "assembly" by striking the period (.) and inserting the following material: "; providing an effective date."

And, as amended, do pass.

NICHOLS, Chairman

Report adopted.

March 3, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 600, respectfully report as follows: That House Bill No. 600 do not pass.

NICHOLS, Chairman

Nichols moved for adoption of the committee report.

As a substitute motion, Darrow moved that House Bill No. 600 be printed and placed on Second Reading. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Perry moved the previous question. Motion carried.

The substitute motion failed by the following vote:

Ayes: Ainsworth, Anderson, Baeth, Bardanouve, Bradley, Brand, Brown, Christiansen, Cox, Darrow, Devine, Edland, Eggebrecht, Fagg, Fasbender, Fleming, Giesick, Greely, Gunderson, Hall, Hodges, Johnston, Kendall, Kosena, Lien, Lundgren, McKittrick, McNamer, Marbut, T. Murphy, Norman, Parrish, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Warfield, Watt, Weeding, Yardley, Zody, Mr. Speaker. Total 45.

Noes: Aber, Asbjornson, Aspevig, Bennett, Burnett, Campbell, East, Ellerd, Falkenstern, Fitzgarrald, Forester, Gerke, Glennen, Haines, Harper, Hemstad, Jackson, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, Marks, Mehrens, Menahan, Nichols, Perry, Nelstead, Prevost, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Ulmer, Whitney, Wolf, Worden. Total 47.

Absent or not voting: Dye, Harrison, Healy, Himsl, Knudsen, Mather, J. Murphy, Olson, Patrick, Zimmer. Total 10.

Excused: Clemow, Sverdsten. Total 2.

Paired: Schoonover, yes; Keller, no.

The committee report was adopted.

March 3, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 618, respectfully report as follows: That House Bill No. 618 do not pass.

NICHOLS, Chairman

Nichols moved for adoption of the committee report.

As a substitute motion, Darrow moved that House Bill No. 618 be printed and placed on Second Reading. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Bradley, Brand, Brown, Christiansen, Cox, Darrow, Devine, Dye, Eggebrecht, Fagg, Fasbender, Fleming, Giesick, Greely, Gunderson, Hall, Harrison, Hodges, Johnston, Kendall,

Kosena, Lien, Lockrem, Lockwood, Lundgren, Lynch, McKittrick, Marbut, T. Murphy, Norman, Parrish, Quilici, Robbins, Scott, Shelden, Staigmiller, Sverdsten, Towe, Warfield, Watt, Weeding, Yardley, Zody. Total 46.

Noes: Aber, Anderson, Asbjornson, Aspevig, Bennett, Burnett, Campbell, East, Edland, Ellerd, Falkenstern, Fitzgarrald, Forester, Gerke, Glennen, Haines, Harper, Hemstad, Jackson, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lee, Lombardi, Lund, McGrath, McNamer, Mehrens, Menahan, Nichols, Patrick, Perry, Nelstead, Prevost, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Ulmer, Whitney, Wolf, Worden, Mr. Speaker. Total 47.

Absent or not voting: Healy, Himsl, Knudsen, Marks, Mather, J. Murphy, Olson, Schoonover, Swanberg, Zimmer. Total 10.

Excused: Clemow. Total 1.

The committee report was adopted.

March 3, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Resolution No. 24, respectfully report as follows: That House Resolution No. 24 be adopted.

LUNDGREN, Chairman

Report adopted.

HOUSE RESOLUTION NO. 24

INTRODUCED BY DARROW, FAGG, COX, TOWE, FORESTER, GLENNEN, NELSTEAD, NORMAN, BRADLEY, MCKITTRICK, STAIGMILLER, QUILICI, LYNCH, HARPER, LUNDGREN, AINSWORTH, J. MURPHY, JOHNSTON, MARBUT, SNORTLAND, BURNETT, ROBBINS, YARDLEY, KELLER, FLEMING, LIEN, SHELLEN, PARRISH, JACKSON, WOLF, CAMPBELL, LAAS, ANDERSON, KENDALL, WARFIELD, DEVINE, ZIMMER, SCHOONOVER, McNAMER.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE FORTY-SECOND LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA DIRECTING THAT THE BOARD OF HEALTH, THE FISH AND GAME DEPARTMENT, THE SOIL CONSERVATION SERVICE AND THE BEARTOOTH RESOURCE CONSERVATION DISTRICT STUDY POLLUTION IN CLARKS FORK OF YELLOWSTONE RIVER CAUSED BY CURRENT WATER USE PRACTICES. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

WHEREAS, the Clarks Fork of the Yellowstone River is polluted with silt generally from the Montana-Wyoming state line to its confluence with the Yellowstone River near Laurel, and

WHEREAS, the silt pollution has destroyed much of the potential of the river for trout fishing and other recreation, and

WHEREAS, the silt pollution in the river represents a loss of topsoil to the agriculturist, the base on which a farm or ranch sustains itself on a long-term basis, and

WHEREAS, the silt pollution in the Clarks Fork has a detrimental effect on the public water supply to the downstream users often requiring costly treatment before the water can be used for drinking purposes.

NOW, THEREFORE, BE IT RESOLVED that the soil conservation service, the state soil conservation committee, the Montana water resources

board, the fish and game department, and the state board of health, in cooperation with the Beartooth resource conservation district determine where the silt pollution is coming from in the drainage.

BE IT FURTHER RESOLVED, that a report be prepared for the 1973 Legislature supervised by the council on natural resources and development stating the extent of the problem and suggesting methods for controlling the sources of erosion resulting in pollution.

BE IT FURTHER RESOLVED, that a copy of this joint resolution be sent by the secretary of state of Montana to the director of the soil conservation service, the state soil conservation committee, the director of the Montana water resources board, the director of the fish and game department, the director of the state board of health, the director of the council on natural resources and development, and the chairman of the Beartooth resource conservation district.

March 3, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Resolution No. 30, respectfully report as follows: That House Resolution No. 30 be adopted.

LUNDGREN, Chairman

Report adopted.

HOUSE RESOLUTION NO. 30

INTRODUCED BY MARKS, JACKSON, MATHER, CHRISTIANSEN

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO APPOINT TWO (2) REPRESENTATIVES ON A BIPARTISAN BASIS TO A JOINT CONGRESSIONAL LIAISON MINED-LAND RECLAMATION LAW COMMITTEE.

WHEREAS, there is a great legislative need in the states of Montana, North Dakota, South Dakota, Wyoming and Nebraska for good, reasonable and fair mined-land reclamation laws, and

WHEREAS, the federal Congress is on the verge of enacting legislation in this field themselves, and

WHEREAS, such legislation if enacted would take precedence over the various states legislation, and

WHEREAS, then it is imperative for the various states to effectively educate their respective congressional delegate of the specific needs and desires of the aforementioned five (5) semiarid states.

NOW, THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Speaker of the House appoint two (2) representatives on a bipartisan basis to the membership of a joint committee to be called Mined-land Liaison Committee, formed for the purpose of advising the Montana Congressional delegation and other members of the five (5) state Congressional Committee on Resources, composed of members from Montana, North Dakota, South Dakota, Nebraska and Wyoming. The committee will advise on federal legislation pertaining to mined-land reclamation and other resources.

BE IT FURTHER RESOLVED, that the House Appropriation Com-

mittee is requested to make the necessary appropriation for the funding of the House of Representative's share of this committee.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House is requested to send a copy of this resolution to the Speaker of the House.

March 3, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Resolution No. 25, respectfully report as follows: That House Resolution No. 25 be adopted.

LUNDGREN, Chairman

Report adopted.

HOUSE RESOLUTION NO. 25

INTRODUCED BY FAGG, DARROW, COX, TOWE, SCOTT, FORESTER, GLENNEN, NELSTEAD, NORMAN, BRADLEY, McKITTRICK, STAIG-MILLER, QUILICI, HARPER, LUNDGREN, AINSWORTH, J. MURPHY, JOHNSTON, MARBUT, SNORTLAND, BURNETT, ROBBINS, YARDLEY, KELLER, FLEMING, SHELDEN, LIEN, SCHOONOVER, ABER, WOLF, PARRISH, JACKSON, CAMPBELL, ANDERSON, LAAS, KENDALL, WARFIELD, DEVINE, ZIMMER, McNAMER.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE FORTY-SECOND LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA TO THE HONORABLE RICHARD M. NIXON, PRESIDENT OF THE UNITED STATES, THE HONORABLE ROGERS MORTON, SECRETARY OF THE INTERIOR, THE HONORABLE CLIFFORD HARDIN, SECRETARY OF AGRICULTURE, THE HONORABLE MIKE MANSFIELD, AND THE HONORABLE LEE METCALF, SENATORS FROM MONTANA, THE HONORABLE RICHARD SHOUP, AND THE HONORABLE JOHN MELCHER, REPRESENTATIVES FROM MONTANA, AND THE HONORABLE FORREST H. ANDERSON, GOVERNOR OF MONTANA, URGING INVESTIGATION INTO WAYS OF RESTORING PUBLIC LANDS DISTURBED BY RECENT MINING EXPLORATION IN THE BEARTOOTH MOUNTAINS WITHIN THE CUSTER AND GALLATIN NATIONAL FORESTS:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

WHEREAS, the natural landscape of the Beartooth Mountains within Custer and Gallatin National Forests possesses unique scenic beauty,

WHEREAS, alpine ecosystems are fragile and do not readily heal themselves without treatment when abused,

WHEREAS, the scars left by mining exploration in the Beartooth Mountains will remain ugly scars unless reclamation is undertaken and the landscape restored to a natural condition,

WHEREAS, erosion has been accelerated by the recent mining exploration and is now, and will continue to result in pollution of the waters draining these landscapes,

WHEREAS, much of the recent mining activity in the Beartooth mainly south of the Benbow Mine, in the vicinity of Iron Mountain, and the Moaut Mine area has greatly disturbed the lands to date and little or no reclamation has taken place,

WHEREAS, major mining companies in this area have currently shown interest in cooperating with the United States Forest Service in obtaining

water quality data and maintaining water quality in the streams of this area,

WHEREAS, local residents, and all Montana outdoorsmen and conservationists are interested and concerned about proper reclamation in disturbed areas not currently reclaimed and whether or not reclamation will commence in these places

NOW, THEREFORE, BE IT RESOLVED that the mining companies active in exploration and mining operations are urged to work together with the United States Forest Service, the State Fish and Game Department, and the State Board of Health, and the State Lands and Investments to investigate ways of restoring the land disturbed by recent mining exploration of the Beartooth area,

BE IT FURTHER RESOLVED, that companies operating in these areas which are not to be further explored or developed be urged to start reclamation on a experimental, or if and where possible, on a final reclamation standard, and to develop reclamation techniques most suited for alpine mountain landscapes, and

BE IT FURTHER RESOLVED, that this action commence as soon as practicable, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Russell Chadwick, President of the Northwest Mining Association, Spokane, Washington, and that he be asked to forward copies of this resolution to those companies doing business in the Beartooth area, namely American Metals Climax, Inc., Johns Manville, Cypress Mines Corporation, and the Anaconda Company, and any other company or companies currently doing business in the Beartooth Mountains.

BE IT FURTHER RESOLVED, that copies of this joint resolution be sent by the secretary of state to the Honorable Richard M. Nixon, President of the United States, the Honorable Rogers Morton, Secretary of the Interior, the Honorable Clifford Hardin, Secretary of Agriculture, the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from Montana, the Honorable Richard Shoup and the Honorable John Melcher, Representatives from Montana, and the Honorable Forrest H. Anderson, Governor of Montana.

REPORTS OF SELECT COMMITTEES

March 3, 1971

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 457, respectfully report and recommend as follows:

That the House accede to paragraph 1, section 1, of the Senate Committee on Education amendments.

That the Senate recede from paragraph 2, section 1, subsection (a) of the Senate Committee on Education.

And as so amended be adopted.

For the Senate: BERTSCHE
DeWOLFE
CARL

For the House: COX
LUND
CHRISTIANSSEN

The report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 87.

Noes: Lien. Total 1.

Absent or not voting: Asbjornson, Aspevig, Dye, Edland, Harper, Healy, Himsl, Knudsen, Lombardi, Mather, Mehrens, Olson, Schoonover, Spilde, Swanberg. Total 15.

Excused: Clemow. Total 1.

March 3, 1971

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee, beg leave to report as follows:

That we met this day, and considered Senate Bill No. 225; and that the committee being unable to come to an agreement, therefore, request that the conference committee be dissolved.

For the Senate: GROFF
SHEEHY
DESCHAMPS

For the House: LUND
SCOTT
PARRISH

Lund moved for adoption of the committee report. Motion carried.

JOINT CONFERENCE COMMITTEE

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendment to House Bill No. 61, respectfully report and recommend as follows:

That the House accedes to the Senate Amendment to House Bill No. 61.

For the Senate: REARDON
GRAHAM
NORTHEY

For the House: SELSTAD
ABER
SCHOONOVER

The committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Brad-

ley, Brand, Brown, Burnett, Campbell, Christiansen, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lund, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Menahan, J. Murphy, T. Murphy, Nichols, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 82.

Noes: Cox, Lockrem, Watt, Yardley. Total 4.

Absent or not voting: Asbjornson, Aspevig, Edland, Harper, Healy, Himsl, Knudsen, Lombardi, Lynch, Mather, Mehrens, Norman, Olson, Schoonover, Scott, Spilde, Swanberg. Total 17.

Excused: Clemow. Total 1.

March 3, 1971

JOINT CONFERENCE COMMITTEE

We, your Joint Conference Committee on House Bill No. 490, respectfully report as follows: That we cannot reach agreement and request the committee be dissolved.

FALKENSTERN, Chairman

Falkenstern moved for adoption of the committee report. Motion carried.

REPORTS OF STANDING COMMITTEES

March 3, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 168, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day at the hour of 2:25 o'clock, p.m., delivered to the governor for his approval.

MARKS, Chairman

MESSAGES FROM THE GOVERNOR

March 3, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Dear sir:

This will inform you that I have this day signed the following measures:

House Bills Nos. 52, 71, 180, 218, 220, 221, 309, 396, 424, 452, 505 and 575; and House Joint Resolution 1.

Sincerely,

FORREST H. ANDERSON
Governor

March 3, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I have this day signed the following measures:

House Bills Nos. 4, 13, 14, 26, 38, 82, 130, 171, 174, 175, 242, 255, 273, 518, and 572.

Sincerely,

FOREST H. ANDERSON
Governor

March 1, 1971

Honorable Thomas L. Judge
President of the Senate
State Capitol
Helena, Montana

Honorable James Lucas
Speaker of the House of Representatives
State Capitol
Helena, Montana

Sirs:

I am returning H. B. No. 194 without my signature.

Apparently, because of inadvertence when amending the bill, it now reads that in order to claim reimbursement for any travel expenses a state employee would have to certify that he was required to stop for the night away from home, or in other words, an employee could not ask for reimbursement of travel expenses for less than an overnight trip.

I am sure this was not the intent of the legislature, and for this reason I cannot concur in the passage of H. B. No. 194.

Very truly yours,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the present Conference Committee to House Amendments on Senate Bill 225, and a new Conference Committee was appointed as follows:

Senator Sheehy, Chairman; Senator Groff, Senator Deschamps.

Respectfully,

CARTER PICOTTE
Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day recommended that House Joint Resolution No. 49, introduced by Lucas, Ulmer, and Harrison, be indefinitely postponed and the bill is herewith returned to the House.

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed, House Bill No. 406, introduced by Himsl, et al, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the following Conference Committees reports, and the reports are herewith transmitted to the House.

Joint Conference Committee Report on House Bill No. 499

Joint Conference Committee Report on House Bill No. 19

Joint Conference Committee Report on House Bill No. 457

Joint Conference Committee Report on House Bill No. 99

Joint Conference (Free) Committee Report on Senate Bill No. 282

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day appointed an Interim Committee of six to meet with a like committee from the House to consider resolutions for the Legislative Council to consider.

Senator James, Chairman; Senator Graham, Senator McGowan, Senator Hazelbaker, Senator Mackay, Senator Cochrane.

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day moved to dissolve the present Conference Committee appointed to confer on Senate Amendments to House Bill No. 490 and a new Conference Committee was appointed.

The President appointed the following: Senator Vainio, Chairman; Senator Sheehy, Senator Rehberg.

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Secretary,

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the present Conference Committee to House Amendments on Senate Bill No. 274, and a new Conference Committee, free, with regards to Chapter 5 and 18 only, to confer with a like committee from the Senate on said amendments.

The President appointed the following: Senator McKeon, Chairman; Senator Dzivi, Senator Mathers.

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

The Speaker reported that the Rules Committee has ruled that the Senate has restricted its appointed Conference Committee to only certain amended sections, and such restrictions are not provided for under Joint Rules. Therefore, the restricted conference committee was refused.

MOTIONS AND RESOLUTIONS

Nichols moved that House Joint Resolutions Nos. 35, 36, 37 be referred to the Long-Range Building Program Committee. Motion carried.

Laas moved that the Speaker appoint a new Free Conference Committee to meet with a like committee from the Senate to confer on Senate Amendments to House Bill No. 490. Motion carried.

Lund moved that the Speaker appoint a new Conference Committee to meet with a like committee of the Senate to confer on Senate Bill No. 225. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

House Resolution No. 31, introduced by McNamer. A Resolution of the House of Representatives of the State of Montana directing the House to amend its rules relating to the introduction of bills. Referred to Committee on Legislative Modernization.

MOTIONS AND RESOLUTIONS

McNamer moved that House Resolution No. 31 be taken from Legislative Modernization and placed on Second Reading. Motion withdrawn.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself in to a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 140 be concurred in.

That Senate Amendments to House Bill No. 141 be concurred in.

That Senate Amendments to House Bill No. 144 be concurred in.

That Senate Amendments to House Bill No. 552 be not concurred in.

That Senate Amendments to House Bill No. 434 be concurred in.

That House Joint Resolution No. 15 do pass.

That House Joint Resolution No. 16 be moved to the bottom of the board.

That House Joint Resolution No. 17 be moved to the bottom of the board.

That House Joint Resolution No. 18 be moved to the bottom of the board.

That House Joint Resolution No. 19 be moved to the bottom of the board.

That House Joint Resolution No. 20 be moved to the bottom of the board.

That House Joint Resolution No. 21 be moved to the bottom of the board.

That House Bill No. 610 be amended in the title, page 1, lines 6, 7 and 8 of the original bill, being page 1, lines 6, 7 and 8 of the printed bill, by striking the following words and figures "eight million three hundred ninety-six thousand seven hundred sixty-one and no/100 dollars (\$8,396,761.00)" and inserting in lieu thereof the following words and figures "seven million seven hundred ten thousand four hundred forty-two and no/100 (\$7,710,442.00)"

Amend the title of the approved bill dated 3-2-71, by striking on lines 16 and 17 the words "[providing an interest rate]"

Further amend Section 3, page 3, lines 5 and 6 of the original bill, being Section 3, page 3, lines 5 and 6 of the printed bill, by striking the following words and figures "eight million three hundred ninety-six thousand seven hundred sixty-one and no/100 dollars (\$8,396,761.00)" and inserting in lieu thereof the following words and figures "seven million seven hundred ten thousand four hundred forty-two and no/100 dollars (\$7,710,442.00)"

And further amend Section 3, page 4, lines 9 and 10 of the bill by striking the following words: "[not to exceed the legal rate for state bonds]"

And, as amended, do pass.

(Material in brackets denotes canceled type.)

That House Bill No. 617 do pass.

That House Joint Resolution No. 16 be amended on page 1, line 23, after the figures and punctuation "1947." by adding the following new material: "No part of such funds shall be raised from student fees unless the matter has first been submitted to the students for a vote of the student body and a majority of the students voting favor the proposal."

And as amended, do pass.

That House Joint Resolution No. 17 be amended on page 1, line 23, after the figures and punctuation "1947." by adding the following new material: "No part of such funds shall be raised from student fees unless the matter has first been submitted to the students for a vote of the student body and a majority of the students voting favor the proposal."

And as amended, do pass.

That House Joint Resolution No. 18 be amended on page 1, line 23, after the figures and punctuation "1947." by adding the following new material: "No part of such funds shall be raised from student fees unless the matter has first been submitted to the students for a vote of the student body and a majority of the students voting favor the proposal."

And as amended, do pass.

That House Joint Resolution No. 19 be amended on page 1, line 23, after the figures and punctuation "1947." by adding the following new material: "No part of such funds shall be raised from student fees unless the matter has first been submitted to the students for a vote of the student body and a majority of the students voting favor the proposal."

And as amended, do pass.

That House Joint Resolution No. 20 be amended on page 1, line 23, after the figures and punctuation "1947." by adding the following new material: "No part of such funds shall be raised from student fees unless the matter has first been submitted to the students for a vote of the student body and a majority of the students voting favor the proposal."

And as amended, do pass.

That House Joint Resolution No. 21 be amended on page 1, line 23, after the figures and punctuation "1947." by adding the following new material: "No part of such funds shall be raised from student fees unless the matter has first been submitted to the students for a vote of the student body and a majority of the students voting favor the proposal."

And as amended, do pass.

That the Committee rise and report.

COX, Chairman

Report adopted.

THIRD READING OF SENATE BILLS

The following, having been read three several times, were disposed of in the following manner:

Senate Amendments to House Bill No. 140 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bradley, Brand, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fleming, Forster, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Kolstad, Kosena, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKit-

trick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, Murphy, T. L., Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Sheldon, Snortland, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Warfield, Whitney, Wolf, Worden, Yardley, Zimmer, Zody. Total 81.

Noes: Fitzgarrald, Selstad, C. Smith. Total 3.

Absent or not voting: Bennett, Campbell, Fasbender, Gunderson, Harrison, Keller, Knudsen, Kvaalen, Laas, Lanthorn, Lund, Murphy, J. E., Nichols, Smith, E. B., Spilde, Ulmer, Watt, Weeding, Mr. Speaker. Total 19.

Excused Clemow. Total 1.

Senate Amendments to House Bill No. 141 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Kolstad, Kosena, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Warfield, Whitney, Wolf, Worden, Zimmer, Zody. Total 83.

Noes: Selstad. Total 1.

Absent or not voting: Campbell, Fasbender, Gunderson, Harrison, Keller, Knudsen, Kvaalen, Laas, Lanthorn, Lund, McKittrick, Mather, Nichols, Perry, Ulmer, Watt, Weeding, Yardley, Mr. Speaker. Total 19.

Excused: Clemow. Total 1.

Senate Amendments to House Bill No. 144 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Kolstad, Kosena, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Sheldon, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Warfield, Whitney, Wolf, Worden, Zimmer, Zody. Total 81.

Noes: Fitzgarrald, Selstad, C. Smith. Total 3.

Absent or not voting: Campbell, Falkenstern, Fasbender, Gunderson, Harrison, Hemstad, Keller, Knudsen, Kvaalen, Laas, Lund, McNamer, Mather, Nichols, Ulmer, Watt, Weeding, Yardley, Mr. Speaker. Total 19.

Excused: Clemow. Total 1.

Senate Amendments to House Bill No. 434 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Christiansen, Darrow, Dye, Edland, Ellerd,

Fagg, Fleming, Forester, Gerke, Glennen, Greely, Haines, Hall, Himsl, Hodges, Lockrem, Lockwood, McKittrick, Marbut, Mather, J. Murphy, Norman, Olson, Parrish, Nelstead, Schoonover, Scott, Shelden, Staigmiller, Sverdsten, Swanberg, Towe, Worden, Zimmer. Total 44.

Noes: Brand, Burnett, Cox, East, Eggebrecht, Falkenstern, Fitzgarrald, Giesick, Harper, Healy, Hemstad, Jackson, Johnston, Kendall, Kolstad, Lanthorn, Lee, Lien, Lombardi, Lundgren, Lynch, McGrath, McNamer, Marks, Mehrens, Menahan, T. Murphy, Patrick, Perry, Prevost, Quilici, Robbins, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Warfield, Whitney, Wolf, Yardley, Zody. Total 43.

Absent or not voting: Campbell, Devine, Fasbender, Gunderson, Harrison, Keller, Knudsen, Kosen, Kvaalen, Laas, Lund, Nichols, Ulmer, Watt, Weeding, Mr. Speaker. Total 16.

Excused: Clemow. Total 1.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Towe moved that the same amendment to House Joint Resolution No. 16 be used to amend House Joint Resolution No. 15. Motion carried.

House Joint Resolution No. 15 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Devine, Dye, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Kendall, Kolstad, Kosen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmiller, Swan, Swanberg, Towe, Warfield, Worden, Zody. Total 69.

Noes: Bardanouve, Brand, East, Edland, Eggebrecht, Hemstad, Johnston, T. Murphy, Patrick, Perry, Prevost, C. Smith, Spilde, Sverdsten, Whitney, Wolf, Yardley. Total 17.

Absent or not voting: Cox, Darrow, Fasbender, Gunderson, Harrison, Keller, Knudsen, Kvaalen, Lund, Marks, Mather, Nichols, Ulmer, Watt, Weeding, Zimmer, Mr. Speaker. Total 17.

Excused: Clemow. Total 1.

House Joint Resolution No. 16 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Christiansen, Cox, Devine, Dye, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Keller, Kosen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, J. Murphy, Norman, Olson, Parrish, Nelstead, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Staigmiller, Swan, Swanberg, Towe, Warfield, Worden, Zody. Total 67.

Noes: Bardanouve, Brand, East, Eggebrecht, Hemstad, Johnston, Kendall, Knudsen, Kolstad, Lynch, Marks, T. Murphy, Patrick, Perry, Prevost, Quilici, Snortland, Spilde, Sverdsten, Weeding, Whitney, Wolf. Total 22.

Absent or not voting: Campbell, Darrow, Fasbender, Gunderson, Harrison, Kvaalen, Lundgren, Mather, Nichols, Ulmer, Watt, Yardley, Zimmer, Mr. Speaker. Total 14.

Excused: Clemow. Total 1.

House Joint Resolution No. 17 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Christiansen, Cox, Devine, Dye, Edland, Ellerd, Forester, Gerke, Glennen, Greely, Haines, Hall, Healy, Himsl, Jackson, Keller, Laas, Lee, Lockwood, Lombardi, Lundgren, McGrath, McKittrick, Marbut, Menahan, J. Murphy, Norman, Olson, Parrish, Nelstead, Robbins, Schoonover, Selstad, Shelden, Staigmilller, Swanberg, Towe, Warfield, Worden, Zody. Total 49.

Noes: Bardanouve, Brand, Darrow, East, Eggebrecht, Fagg, Falkenstern, Fitzgarrald, Fleming, Giesick, Harper, Hemstad, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Lanthorn, Lien, Lockrem, Lynch, McNamer, Marks, T. Murphy, Patrick, Perry, Prevost, Quilici, Scott, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Weeding, Whitney, Wolf, Yardley. Total 40.

Absent or not voting: Ainsworth, Campbell, Fasbender, Gunderson, Harrison, Kvaalen, Lund, Mather, Mehrens, Nichols, Ulmer, Watt, Zimmer, Mr. Speaker. Total 14.

Excused: Clemow. Total 1.

House Joint Resolution No. 18 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Christiansen, Cox, Devine, Dye, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Haines, Hall, Healy, Himsl, Hodges, Jackson, Keller, Kolstad, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, McGrath, McKittrick, McNamer, Marbut, J. Murphy, Norman, Olson, Parrish, Nelstead, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Spilde, Staigmilller, Swan, Swanberg, Towe, Warfield, Worden, Zody. Total 63.

Noes: Bardanouve, Brand, Darrow, East, Eggebrecht, Giesick, Harper, Hemstad, Johnston, Kendall, Knudsen, Kosena, Lien, Lynch, Marks, Mehrens, Menahan, T. Murphy, Patrick, Perry, Prevost, Quilici, C. Smith, Sverdsten, Weeding, Whitney, Wolf. Total 27.

Absent or not voting: Campbell, Fasbender, Gunderson, Harrison, Kvaalen, Lund, Mather, Nichols, Ulmer, Watt, Yardley, Zimmer, Mr. Speaker. Total 13.

Excused: Clemow. Total 1.

House Joint Resolution No. 19 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Cox, Devine, Dye, Ellerd, Fagg, Falkenstern, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Hemstad, Himsl, Jackson, Keller, Kolstad, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, J. Murphy, Norman, Olson, Parrish, Nelstead, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Warfield, Wolf, Worden, Zimmer, Zody. Total 67.

Noes: Bardanouve, Brand, Christiansen, Darrow, East, Edland, Egge-

brecht, Fitzgarrald, Hodges, Johnston, Kendall, Kosena, Lien, Marks, Mehrens, Menahan, T. Murphy, Patrick, Perry, Prevost, Weeding, Whitney, Yardley. Total 23.

Absent or not voting: Campbell, Fasbender, Gunderson, Harrison, Knudsen, Kvaalen, Lund, Mather, Nichols, Quilici, Ulmer, Watt, Mr. Speaker. Total 13.

Excused: Clemow. Total 1.

House Joint Resolution No. 20 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bradley, Brown, Burnett, Christiansen, Cox, Devine, Dye, Edland, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, J. Murphy, Norman, Olson, Parrish, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmilller, Sverdsten, Swan, Swanberg, Towe, Warfield, Wolf, Worden, Yardley, Zody. Total 74.

Noes: Bardanouve, Brand, Darrow, East, Eggebrecht, Giesick, Lien, Menahan, T. Murphy, Patrick, Perry, Prevost, Spilde, Weeding, Whitney. Total 15.

Absent or not voting: Bennett, Campbell, Fasbender, Gunderson, Harrison, Knudsen, Kvaalen, Lund, Mather, Nichols, Ulmer, Watt, Zimmer, Mr. Speaker. Total 14.

Excused: Clemow. Total 1.

House Joint Resolution No. 21 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Christiansen, Cox, Devine, Dye, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, J. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmilller, Swan, Swanberg, Towe, Warfield, Worden, Yardley, Zody. Total 71.

Noes: Bardanouve, Brand, Darrow, East, Edland, Eggebrecht, Marks, Mehrens, Menahan, T. Murphy, Patrick, Prevost, C. Smith, Spilde, Sverdsten, Weeding, Whitney, Wolf. Total 18.

Absent or not voting: Campbell, Fasbender, Gunderson, Harrison, Knudsen, Kosena, Kvaalen, Lund, Mather, Nichols, Ulmer, Watt, Zimmer, Mr. Speaker. Total 14.

Excused: Clemow. Total 1.

House Bill No. 610 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Bardanouve, Bennett, Christiansen, Cox, Devine, Dye, East, Edland, Ellerd, Falkenstern, Fleming, Forester, Gerke, Glennen, Greely, Haines, Healy, Himsl, Jackson, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lockrem, Lockwood, Lundgren, McGrath, Olson, Parrish, Patrick, Nelstead, Schoonover, Selstad, E. Smith, Snortland, Sverdsten, Swanberg, Warfield, Whitney, Wolf, Worden, Zimmer. Total 48.

Noes: Ainsworth, Baeth, Bradley, Brand, Brown, Burnett, Campbell, Darrow, Eggebrecht, Fagg, Fitzgarrald, Giesick, Hall, Harper, Hemstad, Hodges, Johnston, Lee, Lien, Lombardi, Lynch, McKittrick, McNamer, Marbut, Mehrens, Menahan, T. Murphy, Norman, Perry, Prevost, Quilici, Robbins, Scott, Shelden, C. Smith, Staigmiller, Swan, Towe, Weeding, Yardley, Zody. Total 41.

Absent or not voting: Fasnabender, Gunderson, Harrison, Keller, Kvaalen, Lund, Marks, Mather, J. Murphy, Nichols, Spilde, Ulmer, Watt, Mr. Speaker. Total 14.

Excused: Clemow. Total 1.

House Bill No. 617 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Dye, Edland, Ellerd, Fagg, Falkenstern, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Nelstead, Robbins, Schoonover, Scott, Shelden, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Warfield, Worden, Yardley, Zimmer, Zody. Total 70.

Noes: East, Eggebrecht, Fitzgarrald, Harper, Hemstad, Keller, Lee, Lien, McGrath, Patrick, Perry, Prevost, Quilici, Selstad, C. Smith, E. Smith, Sverdsten, Weeding, Whitney, Wolf. Total 20.

Absent or not voting: Campbell, Fasnabender, Gunderson, Harrison, Jackson, Kvaalen, Lund, McNamer, Mather, Nichols, Ulmer, Watt, Mr. Speaker. Total 13.

Excused: Clemow. Total 1.

MESSAGES FROM THE SENATE

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the present Conference Committee appointed to confer on House Amendments to Senate Bill No. 250 and a new Free Conference Committee was appointed.

The President appointed the following: Senator McGowan, Chairman; Senator Bertsche, Senator Cochrane.

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the present Conference Committee appointed to confer on Senate Amendments to House Bill No. 244 and a new conference committee was appointed.

The President appointed the following: Senator McGowan, Chairman; Senator Bertsche, Senator Cochrane.

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

This office was in error regarding our correspondence this date on Senate Bill No. 274. The Senate this day dissolved the present Conference Committee to House Amendments on Senate Bill No. 274, and appointed a new Free Conference Committee to confer with a like committee from the House on said amendments.

The President appointed the following: Senator McKeon, Chairman; Senator Dzivi, Senator Mathers.

Respectfully,

CARTER PICOTTE
Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times at length and concurred in, as amended, House Bill No. 615, introduced by Nichols, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

CARTER PICOTTE
Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times at length and concurred in House Bill No. 609, introduced by Nichols and Dye, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

CARTER PICOTTE
Asst. Secretary of the Senate

MESSAGES FROM THE GOVERNOR

March 2, 1971

Honorable Thomas Judge
President of the Senate
State Capitol
Helena, Montana
Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Gentlemen:

Enclosed herewith, in accordance with Section 94-9849, Revised Codes of Montana, 1947, I am transmitting the following acts of executive clemency, covering the period from January 1, 1969 to January 1, 1971.

Sincerely,

FORREST H. ANDERSON
Governor of Montana

Case No. 2932—Larry W. Hill, who on the 3rd day of February, 1961 was sentenced to three years for the crime of burglary, was granted a full pardon and restoration of civil rights on February 10, 1971.

Case No. 2931—Raymond Edward Randles, who on the 28th day of August, 1964, was sentenced to four years for the crime of forgery and robbery, was granted a full pardon and restoration of civil rights on the 8th day of February, 1971.

Case No. 2930—Paul Barick, who on the 14th day of December, 1962, was sentenced to eight years for the crime of burglary in the first degree, was granted a full pardon and restoration of civil rights on the 8th day of February 1971.

Case No. 2929—Vance Short, who on the 14th day of February, 1961, was sentenced to life imprisonment for the crime of murder in the first degree, was granted a commutation from life to fifty-seven (57) years, on the 23rd day of December, 1970.

Case No. 2928—Henry J. Gonrowski, who on the 10th day of November, 1964, was sentenced to four years for the crime of making, brewing, uttering and delivering a fraudulent check, was granted a full pardon and restoration of civil rights on the 10th day of December, 1970.

Case No. 2927—Ronald Martin, who on the 1st day of October, 1965, was sentenced to one year for the crime of burglary in the first degree, was granted a full pardon and restoration of civil rights on the 10th day of December, 1970.

Case No. 2926—Jack Sharp, who on the 21st day of March, 1955, was sentenced to five years for the crime of burglary, was granted a full pardon and restoration of civil rights on the 10th day of December, 1970.

Case No. 2925—Jack Rolland Sharp, who on the 2nd day of February, 1961, was sentenced to three years for the crime of burglary in the first degree, was granted a full pardon with restoration of civil rights on the 10th day of December, 1970.

Case No. 2924—Steve Logan, who on the 13th day of February, 1969, sentenced to 10 years with the last five suspended, for voluntary manslaughter, was granted a commutation of sentence to seven years, with the last five suspended on the 10th day of December, 1970.

Case No. 2923—Thomas Richards, who on the 15th day of December, 1942, was sentenced to six months for the crime of attempting to commit rape, was granted a full pardon with restoration of civil rights on the 5th day of November, 1970.

Case No. 2922—W. H. Rothermel, who on the 5th day of November, 1957, was sentenced to one year for the crime of uttering and delivering a fraudulent check was granted a full pardon with restoration of civil rights on the fifth day of November, 1970.

Case No. 2921—Duane R. Brandon, who on the 20th day of April, 1964, was sentenced to three years with all suspended but the first fifteen days, for the crime of grand larceny, was granted a full pardon and restoration of civil rights on the fifth day of November, 1970.

Case No. 2020—Duane Brandon, who on the 23rd day of June, 1964, was sentenced to two years for the crime of grand larceny, was granted a full pardon and restoration of civil rights on the fifth day of November, 1970.

Case No. 2919—Lee Warren Madsen, who on the 19th day of May, 1961, was sentenced to ten years, and said sentence was suspended, for an infamous crime against nature, was granted a full pardon and restoration of civil rights on the 10th day of September, 1970.

Case No. 2918—Thomas Layne Wright, who was sentenced on the 23rd day of August, 1968, for possession of narcotic drugs, to one year in prison, was granted a full pardon and restoration of civil rights on the 16th day of July, 1970.

Case No. 2917—Warren William Hollywood, who on the 5th day of October, 1959, was sentenced to natural life for murder in the first degree, was granted a commutation of sentence from natural life to fifty-five and one-half years, on the 21st day of July, 1970.

Case No. 2916—Joseph R. Campbell, who on the 17th day of February, 1964, was sentenced to life for murder in the first degree, was granted a commutation of sentence from life to forty years on the 16th day of July, 1970.

Case No. 2915—Richard Wayne Bungard, who was sentenced to ten years for the crime of robbery on the 23rd day of April, 1951, was granted a full pardon and restoration of civil rights on the 27th day of May, 1970.

Case No. 2914—Robert McGuire, who on the 18th day of November, 1963, was sentenced to one year for the crime of forgery, was granted a full pardon with restoration of civil rights on the 8th day of April, 1970.

Case No. 2913—Benjamin A. Beginski, who on the 29th day of September, 1961, was sentenced to three years for the crime of uttering a fraudulent check on the 29th day of September, 1961, was granted a full pardon and restoration of civil rights on the 8th day of April, 1970.

Case No. 2912—George D. Walsh, Jr., who on the 5th day of April, 1950, was sentenced to two years and said sentence was suspended, for the crime of grand larceny, was granted a full pardon and restoration of civil rights on the 8th day of April, 1970.

Case No. 2911—Raymond J. Lizotte, who on the 12th day of September, 1963, was sentenced to two years for the crime of manslaughter, on two counts to run concurrently, was granted a full pardon and restoration of civil rights on the 8th day of April, 1970.

Case No. 2910—Paul D. Cor, who on the 15th day of January, 1962, was sentenced to life for murder in the first degree, was granted a commutation of sentence from life to forty-five years, on the 2nd day of February, 1970.

Case No. 2909—Gasper T. Cornell, who on the 2nd day of November, 1950, was sentenced to fifty years for the crime of rape, was given a full pardon and restoration of civil rights on the 9th day of January, 1970.

Case No. 2908—Ralph Duncan, who on the 2nd day of August, 1955, was sentenced to fifteen years for the crime of robbery, was granted a full pardon with restoration of civil rights on the 19th day of December, 1969.

Case No. 2907—David Allen Brady, who on the 16th day of September, 1963, was sentenced to one year for the crime of burglary, was granted a full pardon and restoration of civil rights on the 19th day of December, 1969.

Case No. 2906—Harold Hartman, who on the 17th day of September, 1963, was sentenced to ten years for the crime of grand larceny, two counts, was granted a full pardon and restoration of civil rights on the 3rd day of November, 1969.

Case No. 2905—Pamela Jenereaux, who on the 24th day of April was sentenced to one year for the crime of possession of narcotic drugs, was granted a full pardon with restoration of civil rights on the 9th day of October, 1969.

Case No. 2904—Chester DeYoung, who on the 8th day of May, 1963, was sentenced to one year with all but thirty days suspended for the crime of grand larceny, was granted a full pardon with restoration of civil rights on the 7th day of July, 1969.

Case No. 2903—Owen Albert Phillips, Jr., who on the 19th day of February, 1965, was sentenced to two years and six months for the crime of attempted extortion, was granted a full pardon and restoration of civil rights on the 7th day of July, 1969.

Case No. 2902—David Lamphere, who on the 16th day of May, 1960, was sentenced to one year and said sentence suspended, for the crime of grand larceny, was granted a full pardon with restoration of civil rights on the 13th day of May, 1969.

Case No. 2901—Charles Alwin Vestre, who on the 19th day of January, 1959, was sentenced to ten years for the crime of uttering a fictitious check, was granted a full pardon with restoration of civil rights on the 1st day of May, 1969.

Case No. 2900—David Lamphere, who on the 5th day of February, 1959, was sentenced to three years and subsequently released by court order on March 5th, 1959, for the crime of grand larceny, was granted a full pardon and restoration of civil rights on the 1st day of May, 1969.

Case No. 2899—Leo G. Rous, who on the 15th day of February, 1963, was sentenced to two years for the crime of burglary in the first degree, was granted a full pardon and restoration of civil rights on the first day of May, 1969.

Case No. 2898—John Presley Clair, who on the 2nd day of June, 1955, was sentenced to life for the crime of murder in the first degree, was granted a commutation of sentence from life to seventy-five years on the 7th day of July, 1969.

Case No. 2897—John King Holliday, who on the 17th day of April, 1922, was sentenced to five to ten years for the crime of robbery, which was subsequently commuted to two to four years on June 26, 1923, was granted a full pardon and restoration of civil rights on the 3rd day of February, 1969.

Case No. 2896—Thomas Porter, who on the 25th day of February, 1963, was sentenced to five years for the crime of assault in the second degree, was granted a full pardon with restoration of civil rights on the 3rd day of February, 1969.

REPORTS OF SELECT COMMITTEES

March 3, 1971

HOUSE JOINT RESOLUTION NO. 26

FREE JOINT CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your free joint Senate and House Conference Committee on House Joint Resolution No. 26, beg leave to report as follows:

That we met this day and considered Senate amendments to House Joint Resolution No. 26 and recommend as follows:

That we recede from Senate amendments, and in House Joint Resolution No. 26 AMEND line 27, page 2, by deleting the following material: "[and to meet at other times as the legislature shall provide by law]", and

FURTHER AMEND line 5 on page 3, after the word "agenda" by in-

serting the following material: "formulate restrictions as to the subject matter to be considered"

And recommend that the same be adopted.

(Material in brackets denotes canceled type.)

For the Senate: JAMES
VAINIO
LYON

For the House: DARROW
FASBENDER
MARBUT

The report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fitzgarrald, Fleming, Giesick, Glennen, Greely, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Kendall, Kolstad, Kosena, Laas, Lien, Lockrem, Lockwood, Lundgren, McNamer, Marbut, Marks, Menahan, T. Murphy, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, E. Smith, Snortland, Staigmiller, Swanberg, Towe, Wolf, Worden, Zimmer. Total 66.

Noes: None.

Absent or not voting: Campbell, Ellerd, Fasbender, Forester, Gerke, Gunderson, Haines, Jackson, Keller, Knudsen, Kvaalen, Lanthorn, Lee, Lombardi, Lund, Lynch, McGrath, McKittrick, Mather, Mehrens, J. Murphy, Nichols, Patrick, Schoonover, Selstad, C. Smith, Spilde, Sverdsten, Swan, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Zody, Mr. Speaker. Total 37.

Excused: Clemow. Total 1.

March 3, 1971

CONFERENCE COMMITTEE

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee, having had under consideration House Amendments to Senate Bill No. 325, respectfully report and recommend as follows:

That the House Amendments be amended on line 5 of the House Amendments by striking after the word "exceeding" the words and figures: "twelve thousand seventy-five dollars (\$12,075)" and inserting in lieu thereof the words and figures: "twelve thousand five hundred dollars (\$12,500)"

That the House Amendments be amended on line 33 of the House Amendments by striking after the word "exceeding" the words and figures: "seven thousand two hundred fifty dollars (\$7,250)" and inserting in lieu thereof the words and figures: "seven thousand two hundred sixty dollars (\$7,260)"

And that the Senate accede to all of the other House Amendments.

And as so amended, be concurred in.

For the Senate: McKEON
HIBBARD
JAMES

For the House: SWAN
DEVINE
OLSON

The report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrauld, Fleming, Glennen, Greeley, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lundgren, McKittrick, McNamer, Marbut, Marks, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Shelden, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Whitney, Wolf, Worden, Yardley, Zimmer. Total 78.

Noes: None.

Absent or not voting: Forester, Gerke, Giesick, Gunderson, Haines, Jackson, Knudsen, Kvaalen, Lee, Lombardi, Lund, Lynch, McGrath, Mather, Mehrens, J. Murphy, Patrick, Schoonover, Selstad, C. Smith, Warfield, Watt, Weeding, Zody, Mr. Speaker. Total 25.

Excused: Clemow. Total 1.

REPORTS OF STANDING COMMITTEES

March 3, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Bill No. 382, respectfully report as follows: That House Bill No. 382 do pass.

HIMSL, Chairman

Report adopted.

March 3, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Bill No. 383, respectfully report as follows: That House Bill No. 383 do pass.

HIMSL, Chairman

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dye moved that the House resolve itself into a committee of the whole for the consideration of business under Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 615 be concurred in.

That the Committee rise and report.

COX, Chairman

Report adopted.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, was disposed of in the following manner:

Senate Amendments to House Bill No. 615 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Giesick, Glennen, Greely, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Watt, Weeding, Worden, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Brand, East, Patrick, Whitney, Wolf. Total 5.

Absent or not voting: Campbell, Forester, Gerke, Gunderson, Haines, Jackson, Knudsen, Kvaalen, Lee, Lombardi, Lund, McGrath, Mehrens, Schoonover, C. Smith, Spilde, Warfield, Zody. Total 18.

Excused: Clemow. Total 1.

MOTIONS AND RESOLUTIONS

Fagg moved that the Speaker appoint a Free Conference Committee to meet with a like Committee from the Senate on House Bill No. 552. Motion carried.

The Speaker appointed the following committee: Fagg, Campbell, Gunderson.

The Speaker removed Schoonover from the Conference Committee on Senate Bill No. 200 and put Shelden on.

The Speaker appointed the following Conference Committee on Senate Bill No. 225: Lund, Campbell, Knudsen.

The Speaker appointed the following new Free Conference Committee on House Bill No. 490: Harrison, Lockwood, Bardanouve.

Harper, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 600, moved that the House reconsider its action.

Hall requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Giesick, Glennen, Greely, Hall, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Laas, Lien, Lockrem, Lockwood, Lundgren, McKittrick, McNamer, Marbut, Mather, Menahan, T. Murphy, Norman, Olson, Parrish, Nelstead, Robbins, Scott, Shelden, Snortland, Staigmillier, Swanberg, Towe, Watt, Weeding, Yardley, Zody, Mr. Speaker. Total 58.

Noes: Aber, Anderson, Asbjornson, Aspevig, Burnett, East, Falkenstern, Gerke, Haines, Harper, Hemstad, Keller, Kosena, Lanthorn, Lynch, Patrick, Perry, Prevost, Quilici, Selstad, E. Smith, Spilde, Swan, Ulmer, Whitney, Wolf, Worden, Zimmer. Total 28.

Absent or not voting: Campbell, Forester, Gunderson, Jackson,

Kvaalen, Lee, Lombardi, Lund, McGrath, Marks, Mehrens, J. Murphy, Nichols, Schoonover, C. Smith, Sverdsten, Warfield. Total 17.

Excused: Clemow. Total 1.

Hall moved that House Bill No. 600 be printed and placed on Second Reading. Motion carried.

I have examined House Bill No. 65, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 259, introduced by me, and find the same to be correct.

WHITNEY

I have examined House Bill No. 299, introduced by me, and find the same to be correct.

WOLF

I have examined House Bill No. 426, introduced by me, and find the same to be correct.

J. MURPHY

I have examined House Bill No. 316, introduced by me, and find the same to be correct.

DARROW

I have examined House Bill No. 265, introduced by me, and find the same to be correct.

DARROW

I have examined House Bill No. 258, introduced by me, and find the same to be correct.

ULMER

I have examined House Bill No. 531, introduced by me, and find same to be correct.

GIESICK

I have examined House Bill No. 338, introduced by me, and find the same to be correct.

HALL

I have examined House Bill No. 337, introduced by me, and find the same to be correct.

HALL

I have examined House Bill No. 169, introduced by me, and find the same to be correct.

SCOTT

I have examined House Bill No. 580, introduced by me, and find the same to be correct.

BURNETT

I have examined House Bill No. 408, introduced by me, and find the same to be correct.

BARDANOUE

I have examined House Bill No. 287, introduced by me, and find the same to be correct.

CHRISTIENSEN

I have examined House Bill No. 81, introduced by me, and find the same to be correct.

CHRISTIENSEN

I have examined House Bill No. 353, introduced by me, and find the same to be correct.

DYE

I have examined House Bill No. 429, introduced by me, and find the same to be correct.

MATHER

I have examined House Bill No. 453, introduced by me, and find the same to be correct.

TOWE

I have examined House Bill No. 589, introduced by me, and find the same to be correct.

DYE

I have examined House Bill No. 254, introduced by me, and find the same to be correct.

DYE

I have examined House Bill No. 568, introduced by me, and find the same to be correct.

BENNETT

I have examined House Bill No. 581, introduced by me, and find the same to be correct.

CHRISTIANSEN

I have examined House Bill No. 482, introduced by me, and find the same to be correct.

DYE

I have examined House Bill No. 432, introduced by me, and find the same to be correct.

FAGG

I have examined House Bill No. 374, introduced by me, and find the same to be correct.

NELSTEAD

I have examined House Bill No. 361, introduced by me, and find the same to be correct.

DYE

I have examined House Bill No. 293, introduced by me, and find the same to be correct.

GREELY

I have examined House Bill No. 230, introduced by me, and find the same to be correct.

GUNDERSON

I have examined House Joint Resolution No. 33, introduced by me, and find the same to be correct.

KNUDSEN

I have examined House Joint Resolution No. 9, introduced by me, and find the same to be correct.

FORESTER

I have examined House Joint Resolution No. 44, introduced by me, and find the same to be correct.

LUND

I have examined House Joint Resolution No. 6, introduced by me, and find the same to be correct.

BAETH

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 230, 293, 361, 374, 432, 482, 581, 568, 254, 589, 453, and House Joint Resolution No. 6.

MARKS, Chairman

The Speaker signed the following bills in open session: House Bills Nos. 337, 169, 580, 408, 81, 287, 338, 531, 258, 265, 316, 426, 299, 259, 65, 353, 429, 374, 230, 293, 361, 432, 482, 581, 568, 254, 589, 453, House Joint Resolutions Nos. 33, 9, 44, 6.

Menahan, having voted on the prevailing side in adopting an adverse committee report on House Bill No. 618, moved that the same be printed and placed on Second Reading. Motion carried.

Harrison moved that the House adjourn until 9:30 a.m., March 4, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

SIXTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana

March 4, 1971

House convened, pursuant to adjournment, at 9:30 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Clemow, Schoonover, excused:

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fifty-ninth Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

March 4, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Dan E. Staples, Jr., Reading Clerk, be removed from the payroll effective March 3, 1971.

And further recommend that John F. Bell, Jr., be changed from Door-keeper to Reading Clerk effective March 4, 1971.

SPILDE, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

March 3, 1971

Mr. President of the Senate and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 423, beg leave to report as follows:

That we conferred and considered Senate amendments to House Bill No. 423 and recommend as follows:

That the House accede to the Senate amendments, and

Recommend that the same be adopted.

For the Senate: SHEEHY
GOODHEART
TURNAGE

For the House: FAGG
SNORTLAND
FLEMING

Fagg moved for adoption of the Conference Committee report.

As a substitute motion, Scott moved that the Conference Committee report be laid on the table. The motion failed by the following vote:

Ayes: Anderson, Bradley, Brown, Devine, Dye, East, Edland, Falkenstern, Fasbender, Gerke, Greely, Gunderson, Hall, Laas, Lien, Lockrem, Lockwood, Lundgren, McKittrick, Marbut, Norman, Olson, Parrish, Robbins, Scott, Staigmiller, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Yardley. Total 33.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Brand, Burnett, Christiansen, Darrow, Eggebrecht, Fagg, Fitzgarrald, Fleming, Forester, Glennen, Haines, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lombardi, Lund, Lynch, McGrath, McNamer, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Patrick, Perry, Prevost, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Warfield, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 59.

Absent or not voting: Campbell, Cox, Ellerd, Giesick, Harrison, Knudsen, Mather, Nelstead, Shelden, Sverdsten. Total 10.

Excused: Clemow, Schoonover. Total 2.

The Conference Committee report failed to be adopted by the following vote:

Ayes: Aber, Baeth, Bennett, Burnett, Cox, Darrow, Fagg, Fitzgarrald, Fleming, Forester, Glennen, Hemstad, Himsl, Keller, Kosena, Lombardi, Lund, McGrath, McNamer, Marks, J. Murphy, T. Murphy, Nichols, Perry, Nelstead, Quilici, Selstad, C. Smith, E. Smith, Snortland, Warfield, Wolf, Zody, Mr. Speaker. Total 34.

Noes: Ainsworth, Anderson, Asbjornson, Aspevig, Bardanouve, Bradley, Brand, Christiansen, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Gerke, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Kendall, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lynch, McKittrick, Marbut, Mather, Mehrens, Menahan, Norman, Olson, Parrish, Prevost, Robbins, Scott, Shelden, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Worden, Yardley, Zimmer. Total 61.

Absent or not voting: Brown, Campbell, Giesick, Knudsen, Kolstad, Lundgren, Patrick. Total 7.

Excused: Clemow, Schoonover. Total 2.

March 3, 1971

Mr. President and Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 540, respectfully report and recommend as follows:

That the House accede to the Senate Committee of the Whole Amendments adopted February 24, 1971, and February 25, 1971.

For the Senate: MCGOWAN
FLYNN
REHBERG

For the House: C. SMITH
WARFIELD
MCGRATH

C. Smith moved for adoption of the Conference Committee report. The report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Lien, Marbut, Whitney. Total 3.

Absent or not voting: Campbell, Giesick, Knudsen, Kolstad, Lund, E. Smith, Staigmiller. Total 7.

Excused: Clemow, Schoonover. Total 2.

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 88, beg leave to report as follows:

That the House recede from the House Amendments to Senate Bill No. 88. And recommend that the same be adopted.

For the Senate: GROFF
MATHERS
NEES

For the House: ULMER
BENNETT
SWANBERG

Ulmer moved for the adoption of the Conference Committee report. The report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut,

Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 92.

Noes: Bardanouve, Brand, Norman, Parrish. Total 4.

Absent or not voting: Campbell, Eggebrecht, Harrison, Knudsen, Lund, Zimmer. Total 6.

Excused: Clemow, Schoonover. Total 2.

March 3, 1971

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 274, beg leave to report as follows:

That we met this day and recommend as follows:

That the Senate accede to the House Amendments except the following House Committee on Executive Reorganiaztion amendments:

"and further amend section 1, page 40, lines 13 through 16 of the Senate bill by omitting in its entirety the material after the words and punctuation "continued." "

"Further amend page 90, line 12, by inserting a new sub-section "(c)" "Section 69-3504—Boats", and re-lettering sub-sections (c) through (t)" "

"Amend on page 90, line 25 by inserting after the figure "(11)" the words and figures "and (18)" "

"Further amend on page 91 by adding a new sub-section "v"—Title 84, Chapter 54, Net Proceeds", "

"Further amend page 91 by adding a new sub-section "w"—Title 84, Chapter 62, Net Proceeds", "

"Further amend by relettering sub-section "u" as "x" "

That the Senate and House accede to the following substitute amendments:

and further amend section 1, section 82A-507, page 40, lines 18 through 30 of the original bill, being section 1, section 82A-507, page 40, lines 6 through 16 of the Senate approved bill by omitting the material contained therein in its entirety, and renumbering the subsequent sections in chapter 5 accordingly.

and further amend section 1, page 99, line 23 through and including page 104, line 22 of the original bill, being section 1, page 95, line 2 through and including page 100, line 10 of the Senate approved bill by omitting the material contained therein in its entirety, and inserting in lieu thereof the following material:

82A-1801. DEPARTMENT OF REVENUE—CREATION; HEAD. There is created a department of revenue. The department head is the state board of equalization, provided for in article XII, section 15 of the Montana constitution.

82A-1802. ADDITIONAL FUNCTIONS TRANSFERRED TO DEPARTMENT. The functions of the secretary of state, which are contained in section 14-528, R.C.M., 1947 (pertaining to rural electric and telephone cooperatives license tax), are transferred to the department. Unless in-

consistent with this act, any reference to the secretary of state in section 14-528, R.M.C., 1947, means the department of revenue.

82A-1803. FUNCTIONS OF THE STATE BOARD OF EQUALIZATION CONTINUED. (1) The functions of the state board of equalization are continued in the board, which board is created in article XII, section 15 of the Montana constitution.

(2) The board shall appoint an advisory council for the purpose of complying with article VI, section 1 (b) of the multi-state tax compact, section 84-6701, R.C.M., 1947. The council shall be appointed in accordance with the provisions of section 82A-110 of this act.

82A-1804. DIRECTOR OF REVENUE—CREATION. (1) There is created the position of director of revenue.

(2) The director is the chief administrative officer of the department under the direction of the state board of equalization and he shall perform those functions that are delegated to him by the board and in addition shall prepare revenue estimates of state revenue from all sources and shall continuously study fiscal problems and tax structures of state and local governments and submit the studies to the governor and legislative assembly at their request.

(3) The director of revenue shall be appointed and serve as provided for directors in section 82A-106 of this act.

82A-1805. MONTANA LIQUOR CONTROL BOARD—CONTINUED; TRANSFER; DESIGNATION. (1) The Montana liquor control board, created in title 4, chapter 1, R.C.M., 1947, and its functions are continued.

(2) The board is transferred to the department of revenue for administrative purposes only as prescribed in section 82A-108 of this act. However, the board may hire its own personnel, and section 82A-108(2)(d) does not apply.

(3) The board is designated as a quasi-judicial board for purposes of section 82A-112 of this act.

82A-1806. MULTISTATE TAX COMPACT ADVISORY COMMITTEE ABOLISHED. The multistate tax compact advisory committee, provided for in section 84-6704, R.C.M., 1947, is abolished.

Recommend that the same be adopted.

For the Senate: McKEON
DZIVI
MATHERS

For the House: MATHER
HAINES
NORMAN

Mather moved that the House suspend its Rules and consider the amendments read in full. Motion carried.

Mather moved for the adoption of the Conference Committee report. The report was adopted by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Nor-

man, Olson, Parrish, Nelstead, Robbins, Scott, Shelden, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 85.

Noes: Ainsworth, Brand, Campbell, Hemstad, Keller, Lynch, Patrick, Perry, Prevost, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde. Total 15.

Absent or not voting: Knudsen, Lund. Total 2.

Excused: Clemow, Schoonover. Total 2.

REPORTS OF STANDING COMMITTEES

March 4, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 382, 383, 600, 618, 597, 619, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

March 3, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 610, 617, House Joint Resolutions Nos. 15, 16, 17, 18, 19, 20, 21.

MARKS, Chairman

March 4, 1971

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 10, respectfully report as follows: That House Resolution No. 10 be adopted.

SWAN, Chairman

HOUSE RESOLUTION NO. 10

INTRODUCED BY FASBENDER, HARRISON

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE DEPARTMENT OF ADMINISTRATION TO PROVIDE ADEQUATE SPACE FOR STATE PRINTING FACILITIES.

WHEREAS, the department of administration is responsible for providing the necessary space for state agencies, and

WHEREAS, the state printing offices are now located in the capitol basement, and

WHEREAS, the state printing office has more equipment and more personnel than when their office space was first allotted, and

WHEREAS, the space in the capitol is not air-conditioned or noise-proof, and

WHEREAS, the working conditions caused by the noise and heat of the printing equipment is unbearable, and

WHEREAS, the legislative assembly has caused an additional problem of crowding the basement with its mail room, and

WHEREAS, the convening of the constitutional convention will cause an additional crowded condition, and

WHEREAS, the board of equalization is located in the Mitchell building, except for its mail room, which is in the capitol basement.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the department of administration is hereby directed to provide the necessary and adequate space for the printing facilities before the convening of the constitutional convention.

BE IT FURTHER RESOLVED, that the department of administration rearrange the basement area of the capitol.

BE IT FURTHER RESOLVED, that the department of administration find additional space in which to provide a permanent mail room.

BE IT FURTHER RESOLVED, that the department of administration move the board of equalization offices from the capitol basement to provide more space.

March 4, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 23, respectfully report as follows: That House Resolution No. 23 be adopted.

FAGG, Vice-Chairman

Report adopted.

HOUSE RESOLUTION NO. 23

INTRODUCED BY BRAND, CAMPBELL, WARFIELD, EGGBRECHT,
KOLSTAD, LAAS, EAST, ZIMMER, ULMER.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES REQUESTING IMMEDIATE PASSAGE OF ENABLING LEGISLATION IN THE INTERESTS OF NATIONAL DEFENSE AND FOR RE-ESTABLISHMENT OF MORE EFFICIENT MAIL AND RAIL SERVICES TO ALL THE PEOPLE, BY PROVIDING DISTRIBUTION ENROUTE OF ALL FOUR CLASSES OF INTRANSIT MAIL BY HIGHLY QUALIFIED RAILWAY POSTAL CLERKS, IN REFITTED RAILWAY POSTAL CARS AND HIGHWAY POST OFFICES, IN MONTANA AND INTERSTATE IN THE UNITED STATES OF AMERICA.

WHEREAS, it is a fact that mail services of all four classes of in transit mail to the public under present postal policies and practices is now too uncertain and inadequate, and institution of RAIL-PAX theories will further downgrade passenger train travel throughout the entire northwest, and

WHEREAS, the United States Post Office Department on September 15, 1967, withdrew Railway Postal Office cars and instituted the detrimental practice of centralizing all four classes of intransit mail to distribution in designated "Postal Sectional Centers," there being nine in Montana: Miles City, Billings, Butte, Helena, Missoula, Kalispell, Great Falls, Havre and Wolf Point, and all four classes of mail from the immediate vicinity of these nine centers must go first to one of these designated sectional centers for distribution, regardless of the fact that either all or part of that mail may be for destinations between the office of mailing and the sectional center, or in the opposite direction. This backhaul results in totally unjustifiable delay and added transportation costs,

payable by the post office department to the carrier, and such backhauled mail amounts to tons daily throughout the United States, and

WHEREAS, the United States railroad system is the most dependable means of transportation and communication in times of peace or war, in any kind of weather, and the trains maintain their schedules on a very creditable basis, superior in certainty to any other type of transportation, and

WHEREAS, distribution of all transit mail enroute by highly trained postal transportation clerks in railway postal cars, operated in passenger trains in this area, was entirely eliminated by Postmaster General O'Brien on September 15, 1967, and that the nine sectional centers now do all the mail distribution in this state, and these changes have downgraded mail services, along with airlift taxi service of part of first class mail, and these are inoperative in inclement weather, and in unheated trucks mounted on freight cars (piggybacks), operation, subjecting all perishable mail, liquids, eggs, baby chicks, medicines, fresh flowers, etc., regardless of special delivery or other special fees paid, to being destroyed enroute in these piggybacks operated in freight trains, and these perishables are inexcusably delayed and endangered, thus placing mail service on a par with freight car delivery, and

WHEREAS, reestablishment of regular daily Railway Postal Office mail service in passenger trains, wherein all four classes of mail intransit is distributed enroute, as done previously by highly trained postal transportation clerks, along with heated mail storage cars, will provide the railroads with ample funds to operate and maintain their equipment more profitably, and provide the public with the very best of mail and passenger train services throughout the country on a more efficient basis than at present.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Secretary of the State of Montana send to the Honorable Mike Mansfield and Honorable Lee Metcalf, Senators from Montana, and the Honorable Richard Shoup and the Honorable John Melcher, Congressmen from Montana, requesting that they use all honorable means within their power to bring about the enactment of necessary legislation with provisions of any needed supplemental appropriation, which will reinstate and maintain on a regular daily basis, fully adequate railway postal services on an interstate basis in the passenger trains of this state and throughout the northwest, equivalent to such mail services in effect previous to September 15, 1967.

March 4, 1971

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 27, respectfully report as follows: That House Resolution No. 27 be adopted.

WORDEN, Chairman

Report adopted.

HOUSE RESOLUTION NO. 27

INTRODUCED BY COX, NELSTEAD, GIESICK, MATHER, CHRISTIANSEN, FAGG, GLENNEN, TOWE, DARROW, LOCKREM, JACKSON, FORESTER, SCOTT, C. SMITH, GERKE, LUCAS.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA COMMENDING AND THANKING THE EXECUTIVE MANAGEMENT OF "LITTLE BIG MAN" FOR ITS SELECTION AND USE OF MONTANA FOR THIS EPIC FILM.

WHEREAS, Cinema Center Films and National General Pictures in co-operation with the Montana Theatre Owners have presented an advance showing of the film "Little Big Man" to the members of the Montana legislature now in session in Helena, Montana, and

WHEREAS, "Little Big Man" was filmed almost entirely in Montana, and

WHEREAS, many Montanans participated in the production of "Little Big Man", and

WHEREAS, for the first time, movie goers throughout the world will now become acquainted with the beauties and wonders of Montana's inexhaustible scenic possibilities, and

WHEREAS, after shooting some eighteen miles of film "Little Big Man" left neither smoke stacks or garbage heaps to mar the beauty of Montana's landscapes, but did leave some four million dollars (\$4,000,000) to enrich our economy, and

WHEREAS, the success and acclaim now being given to "Little Big Man" in the world of movie critics, and box office acceptance reflects favorably on Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we commend the entire cast and all those who participated in the successful planning, directing and producing of this epic film.

BE IT FURTHER RESOLVED, that we express our pleasure and pride in the selection of Montana for the major filming of "Little Big Man".

BE IT FURTHER RESOLVED, that we extend our thanks and appreciation to Cinema Center Films and National General Pictures for permitting the showing of this film "Little Big Man" by the theatre owners of Montana to this legislative assembly.

MESSAGES FROM THE SENATE

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed a new Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 93.

The President appointed the following:

Senator Groff—Chairman
Senator Sheehy
Senator Cochrane

Respectfully,
CARTER PICOTTE
Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following members to a Free Conference Commit-

tee to confer with a like committee from the House on Senate Amendments to House Bill No. 552.

Senator Manning—Chairman
Senator Lynch
Senator Brownfield

Respectfully,
CARTER PICOTTE
Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times at length House Bill No. 616, introduced by Nichols, Worden and Christiansen, and concurred in, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,
CARTER PICOTTE
Asst. Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and assigned to committee:

House Resolution No. 32, introduced by Bardanoue: A Resolution of the House of Representatives of the State of Montana directing the Legislative Council to study, in detail, all aspects of the Montana Water Resources Board. Referred to Committee on Environment and Resources.

House Resolution No. 33, introduced by Asbjornson, Parrish: A Resolution of the House of Representatives of the State of Montana asking the Interstate Commerce Commission to hold a public hearing in Lewistown, Montana, on the application by the Chicago, Milwaukee, St. Paul and Pacific Railroad Company to abandon a portion of its line between Roy Junction and Roy in Fergus County, Montana, Finance Docket No. 26486. Referred to Committee on Business and Industry.

House Resolution No. 34, introduced by Marbut: A Resolution of the House of Representatives of the State of Montana directing the Secretary of State to include simple resolutions of the Legislative Assembly in the session laws. Referred to Committee on Judiciary.

MOTIONS AND RESOLUTIONS

Nichols moved that House Bill No. 402 be taken from the Committee on Appropriations and placed in the Long Range Building Program Committee. Motion carried.

Kvaalen moved that House Resolution No. 29 be taken from Committee on Education and be adopted by the Assembly. Motion carried.

HOUSE RESOLUTION NO. 29

INTRODUCED BY KVAALLEN, LUND.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE BOARD OF REGENTS TO APPOINT THE EXECUTIVE SECRETARY OF THE UNIVERSITY SYSTEM AS THE COORDINATOR OF COMMUNITY COLLEGE DISTRICTS.

WHEREAS, the passage of Senate Bill No. 235 provided that community colleges shall be under the supervision of the board of regents, and

WHEREAS, Senate Bill No. 235 directed that the board of regents shall appoint a coordinator of community college districts, and

WHEREAS, there are only a few community colleges with a small enrollment in the State of Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the board of regents be urged to appoint the executive secretary of the Montana university system as the coordinator of community college districts.

BE IT FURTHER RESOLVED, that the chief clerk of the House of Representatives send a copy of this resolution to each member of the board of regents.

Scott moved that House Resolution No. 34 be taken from Judiciary and be adopted by the Assembly. Motion withdrawn.

Marbut moved that House Resolution No. 34 be taken from Judiciary and be adopted by the Assembly. Motion carried.

HOUSE RESOLUTION NO. 34

INTRODUCED BY MARBUT.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE SECRETARY OF STATE TO INCLUDE SIMPLE RESOLUTIONS OF THE LEGISLATIVE ASSEMBLY IN THE SESSION LAWS.

WHEREAS, the session laws contain the original bills as they were when they became law, and

WHEREAS, the session laws also contain the joint resolutions of the Senate and House of Representatives, and

WHEREAS, the session laws are very helpful to the legislators and general public, both during the session of the legislative assembly and the interim, and

WHEREAS, simple resolutions of the House of Representatives and Senate are not included in the session laws.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Secretary of State be directed to include House and Senate simple resolutions in the session laws.

BE IT FURTHER RESOLVED, that the chief clerk of the House is directed to send a copy of this resolution to the Secretary of State.

Asbjornson moved that House Resolution No. 33 be taken from Business and Industry Committee and be adopted by the Assembly. Motion carried.

HOUSE RESOLUTION NO. 33

INTRODUCED BY ASBJORNSON, PARRISH.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ASKING THE INTERSTATE COMMERCE

COMMISSION TO HOLD A PUBLIC HEARING IN LEWISTOWN, MONTANA, ON THE APPLICATION BY THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY TO ABANDON A PORTION OF ITS LINE BETWEEN ROY JUNCTION AND ROY IN FERGUS COUNTY, MONTANA, FINANCE DOCKET NO. 26486.

WHEREAS, the Chicago, Milwaukee, St. Paul and Pacific Railroad Company has filed an application for a certificate of public convenience and necessity permitting abandonment of a portion of its line of railroad extending from Roy Junction to Roy, in Fergus County, Montana, a total distance of 21.7 miles, Finance Docket No. 26486; and

WHEREAS, this portion of railroad is vital to the area which it serves as it is used for the transportation of livestock and wheat; and

WHEREAS, the abandonment of this portion of railroad would cause economic harm to the area served thereby; and

WHEREAS, the citizens of the area should be given a public hearing before the Interstate Commerce Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Interstate Commerce Commission be urged to hold a public hearing on Finance Docket No. 26486 in Lewistown, Montana, at its earliest possible date.

BE IT FURTHER RESOLVED, that the members of the Montana Congressional delegation personally ask the members of the Interstate Commerce Commission to hold a public hearing.

BE IT FURTHER RESOLVED, that the chief clerk of the House of Representatives send copies of this resolution to the Interstate Commerce Commission in Washington, D.C., and to each member of the Montana Congressional delegation.

REPORTS OF STANDING COMMITTEES

March 4, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 26, respectfully report as follows: That House Resolution No. 26

Be amended on page 2, line 1, following the word "Engineers" by inserting the words "be asked to", and

As so amended, be adopted.

FAGG, Vice-Chairman

Report adopted.

HOUSE RESOLUTION NO. 26

INTRODUCED BY SHELDEN, BAETH.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ASKING THE UNITED STATES ARMY CORPS OF ENGINEERS AND OTHER FEDERAL AND STATE OFFICIALS TO CONSIDER THE NEEDS OF THE TOWN OF REXFORD, MONTANA, WITH REGARDS TO AN ADEQUATE WATER SUPPLY, SEWER SYSTEM AND HIGHWAY UNDERPASS.

WHEREAS, the town of Rexford, Montana, is being relocated due to Libby Dam becoming functional; and

WHEREAS, there exists the need for an adequate water and sewer system in the new town of Rexford; and

WHEREAS, because of the location of the new town, the need exists for an underpass under Montana Highway 37; and

WHEREAS, the United States Army Corps of Engineers is the federal agency designated to help Rexford with its relocation problems; and

WHEREAS, Rexford would best be served by a water system adequate for the town's needs; and

WHEREAS, the people in Rexford need a central sewer system instead of individual septic tanks; and

WHEREAS, the Rexford town council and the United States Army Corps of Engineers are in disagreement over the needs of the town in regard to its water and sewer system.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the United States Army Corps of Engineers be asked to agree to supply the town of Rexford with the six-inch pipeline for its water supply.

BE IT FURTHER RESOLVED, that the United States Army Corps of Engineers, in cooperation with the State Department of Health, develop a central sewer system in lieu of having each resident install individual septic tanks.

BE IT FURTHER RESOLVED, that the United States Army Corps of Engineers and the Montana State Highway Department plan and recommend an underpass under Montana Highway 37.

BE IT FURTHER RESOLVED, that the chief clerk of the House of Representatives of the State of Montana send copies of this resolution to the Honorable Mike Mansfield and Lee Metcalf, Senators from the State of Montana, and the Honorable John Melcher and Richard Shoup, Congressmen from the State of Montana, the United States Army Corps of Engineers in Washington, D.C., and Libby, Montana, the United States Forest Service in Washington, D.C., and Libby Montana, the Honorable Forrest H. Anderson, Governor of the State of Montana, and the State Department of Health.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Committee arose: Scott in the Chair.

House resumed: Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 618 do not pass.

That House Bill No. 600 be amended in the title, being page 1, lines 4 and 5, following the word "appropriating" on line 4 by omitting the words and figures "two hundred eighty-eight thousand two hundred fifty-four dollars (\$288,254)" and inserting in lieu thereof the words and figures "two hundred forty-five thousand dollars (\$245,000)".

Further amend page 1, lines 11 and 12, following the word "appropri-

ated" on line 11 by omitting the words and figures "two hundred eighty-eight thousand two hundred fifty-four dollars (\$288,254)" and inserting in lieu thereof the words and figures "two hundred forty-five thousand dollars (\$245,000)".

And, as amended, be further amended in the title by striking the words and figures "two hundred eighty-eight thousand two hundred fifty-four dollars (\$288,254)" and inserting in lieu thereof the words and figures "one hundred thousand dollars (\$100,000)",

And further amend in the body of the bill, page 1, lines 11 and 12, by omitting the words and figures "two hundred eighty-eight thousand two hundred fifty-four dollars (\$288,254)"; and inserting in lieu thereof the words and figures "one hundred thousand dollars (\$100,000)",

And as amended, do pass.

That the Committee rise and report and beg leave to sit again.

SCOTT, Chairman

Report adopted.

The Speaker signed the following Senate Bills in open session: Nos. 133, 282, 317.

Harrison moved that the House recess until 1:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 4, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 15, 19, 106, 355, 419, 598, 249, 201, 286, 497, 499, 517.

MARKS, Chairman

March 4, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Bill No. 40, respectfully report as follows: That House Bill No. 40 be amended—

Himsl moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Amend the title, page 1, line 8, by removing "and 9" to read "5, 6, 7, and 8."

Amend pages 3 through 15 by omitting all of the material following Section 6 and by inserting in lieu thereof the following:

Section 7. It is the desire of the 42nd Legislature to rescind for a period of two (2) years the authorization granted by Chapter 374, Laws of 1969, 41st Legislature, to building a new academic facility at the Mountain View School to allow the Board of Institutions to re-evaluate and study alternate methods to the educational consideration that led to the request to construct this facility.

Section 8. Chapter 238, Laws of 1969, and sections 1, 4, 5, 6, 7, and 8, chapter 375, Laws of 1969, are repealed.

Section 9. If any section, subsection, sentence, clause or phrase of the act is for any reason held unconstitutional or void such decision shall not affect the validity of the remaining portions of this act.

Section 10. The following money is appropriated from indicated accounts and funds to the state controller for the biennium ending June 30, 1973, for the following capital projects:

	Long Range Building Program Account Bond Proceeds and Insurance Clearance Fund	Construction Grant Account Federal and Private Revenue Fund
EXECUTIVE BRANCH		
DEPARTMENT OF ADMINISTRATION		
Renovate Capitol Building	112,000	
Analyze Capitol Complex Space Needs	15,000	
Renovate Old Board of Health Bldg.	30,000	
Renovate Governor's Mansion	20,000	
BOARD OF EDUCATION		
Great Falls Vo-Tech grant	1,000,000	
Missoula Vo-Tech grant	200,000	
SCHOOL FOR THE DEAF AND BLIND		
Remodeling and Planning	125,000	
EASTERN MONTANA COLLEGE		
Renovate, Develop, Pre-Plan and acquire land	480,000	
HISTORICAL SOCIETY		
Pave, light and landscape parking lot	40,000	
MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY		
Construct New Academic Facility, Remodel Existing Facilities, Ac- quire Land and Extend Utilities	1,500,000	
MONTANA STATE UNIVERSITY		
Supplement Nursing Building		50,000
Remodel and Renovate Buildings	120,000	
Expand Utility System	175,000	
Construct Classroom Office Bldg.	2,500,000	440,620
Supplement Life Science Building		75,000
Construct Extension Building		125,000
NORTHERN MONTANA COLLEGE		
Pre-Plan New Library	20,000	
Repair and Renovate Buildings	59,500	

Construct Physical Plant Vehicle and Equipment Building	25,000	
UNIVERSITY OF MONTANA		
Supplement Science Complex	250,000	
Construct Yellow Bay Biological Station Sewage System	250,000	
Complete and Renovate Clinical Service and Art Annex	550,000	
Renovate and Update Miscellaneous Projects	220,000	
WESTERN MONTANA COLLEGE		
Develop, Renovate and Improve Miscellaneous Projects	120,000	
BOULDER RIVER SCHOOL AND HOSPITAL		
Renovate Existing Cottages	115,000	
Renovate Hospital	224,000	
Replace Roofs	76,000	
Renovate Junior Hall for Warehouse	85,000	
CENTER FOR THE AGED		
Replace Hot Water Tanks and Renovate Controls	10,000	
Modify Fire Detection and Alarm System	9,500	
Black Top and Light Service Area	19,500	
EASTMONT TRAINING CENTER		
Construct Garage and Storage Bldgs.	29,200	
GALEN STATE HOSPITAL		
Replace Corridor Glass	2,000	
Construct Exhaust Ducts for Byran and C. B. Buildings	15,000	
Replace Roof and Renovate Alcoholic Dormitory	43,000	
Replace Roof for Hospital Annex	8,400	
Replace Main Transformers	9,000	
Add Fire Protection Projects and Fire Hydrant	40,000	
PINE HILLS SCHOOL		
Construct Utility Tunnels	85,000	
Renovate Cottages, Extend Water Main and Install Irrigation System	25,300	
STATE PRISON		
Construct New Prison	1,000,000	3,000,000
If it is apparent that the Federal Participation in this pro-		

ject is not forthcoming within 18 months from the start of the 1971-1973 Biennium, authorization is granted to expend up to \$200,000 of this money for maintenance and renovation upon the approval of the Board of Institutions.

SWAN RIVER YOUTH FOREST CAMP

Construct Standby Well and Pump	5,000	
Construct Vehicle Storage and Maintenance Shop	21,930	21,930

VETERANS HOME

Construct Additional Nursing Facilities	43,500	43,500
Install Smoke and Heat Detection System	15,000	

WARM SPRINGS STATE HOSPITAL

Install Security and Safety Fixtures	75,000	
Replace Sewer Line	36,000	
Reroof Receiving Hospital	38,250	
Reroof Old Portion Multi-Purpose Building	6,000	
Renovate Mussigbrod Building	350,000	
Renovate Warren-Kansas Building Phase II	300,000	

FISH AND GAME DEPARTMENT

Supplement Chief Plenty Coups Museum	35,000	
Acquire and Preserve Beaverhead Rock	30,000	30,000
Acquire and Preserve Miscellaneous Historic Sites	10,000	10,000
Acquire and Preserve Bannack Property	10,000	10,000
Construct Office, Laboratory, and Storage Dist. 1 Headquarters	50,000	
Construct Recreational Facilities—Lake Francis	60,000	
Feasibility Study and Plans and Specifications Giant Springs	15,000	
Acquire Land and Develop Giant Springs State Park	110,500	60,500
Acquire Land and Develop Ulm Pishkin	30,000	30,000
Construct Fish Pond—Wibaux	7,800	7,800

STATE FORESTER

Construct Tool Warehouse, Shop and Dispatch Office, Msla. Headquarters	77,000	
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ADJUTANT GENERAL

Supplement Helena Aviation Shop Addition and Armory	37,000	239,000
Construct Armory Additions at Kalispell and Billings	10,800	32,400

HIGHWAY PATROL

Construct Division Headquarters— Glendive	105,375
--	---------

Section 11. The following money is appropriated from indicated accounts and funds to various state agencies for the biennium ending June 30, 1973, for the following capital projects:

OIL AND GAS COMMISSION

(1) From the earmarked revenue fund, oil and gas account for: Improve office facilities	186,300
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MONTANA STATE UNIVERSITY

(1) From the earmarked revenue fund, experiment station account for: Construct feed preparation plant	100,000
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FISH AND GAME DEPARTMENT

(1) From the earmarked revenue fund, fish and game account for: Provide new office and laboratory, District 1 headquarters	5,340
Construct cold storage facility, District 2 headquarters	5,000
Add air conditioning, District 3 headquarters	2,200
Remodel office, District 4 headquarters	3,000
Renovate heating and air conditioning, District 5 headquarters	2,630
Enlarge and improve existing parking lot, District 5 headquarters	3,800
Construct metal storage shed, District 6 headquarters	250
Heat existing shop, District 7 headquarters	2,500
Fence storage area, District 7 headquarters	2,000
Pave parking lot, District 7 headquarters	2,000
Renovate warehouse storage facilities, Helena	700
Improve lakes and streams	50,000
Construct water supply pipeline, Big Springs Hatchery	50,000

Construct residence, Blue Water Hatchery	30,000
Develop Creston Hatchery	38,000
Modify water supply, Washoe Hatchery, Anaconda	15,000
Improve water supply, Bluewater Hatchery	9,000
Construct mooring and haul-out facility	1,375
Construct shop and storage building, Bluewater Hatchery	25,000
Construct Residence, Jocko River Hatchery, Arlee	30,000
Replace drain lines, Washoe Park Hatchery, Anaconda	5,000
Build garage, Giant Springs Hatchery, Great Falls	3,000
Construct septic tank, Flathead Hatchery, Somers	500
Relocate roadway, Jocko River Hatchery, Arlee	15,000
Acquire and develop land	200,000
Improve Ninepipe road and parking area	375
Develop Blackfoot-Clearwater Game Range Pond	550
Develop Bitterroot fence and campground	950
Develop Warm Springs Pond	5,000
Develop Canyon Ferry	4,050
Develop Clark Canyon	450
Construct Sun River storage shed	550
Reseed Judith Game Range	500
Improve Freezeout public use facility	1,250
Develop Milk River	375
Develop Isaac homestead	1,000
Construct Warm Springs garage	3,400
Fence Beartooth Game Range	1,750
Develop Cooney Reservoir	3,000
Acquire and develop fishing access sites	188,000
(2) From the earmarked revenue fund, state parks account, for:	
Construct Wayfarer state recreation area	62,500

Improve Ennis state recreation area	35,000
Improve Rosebud State recreation area	12,500
Improve Walstad memorial recreation area	5,000
Improve Beartooth recreation area	25,000
Improve West Shore State Park	12,500
Improve Hell Creek recreation area	12,500
(3) From the federal and private revenue fund, fish and game account, for:	
Construct mooring and haul-out facility	4,125
Acquire and develop land	600,000
Improve Ninepipe road and parking area	1,125
Develop Blackfoot-Clearwater range pond	1,650
Develop Bitterroot fence and campground	2,450
Develop Warm Springs pond	15,000
Develop Canyon Ferry	12,150
Develop Clark Canyon	1,350
Construct Sun River storage shed	1,650
Reseed Judith game range	1,500
Improve Freezeout public use facility	3,750
Develop Milk River	1,125
Develop Isaac homestead	3,000
Fence Beartooth game range	5,250
Develop Cooney Reservoir	9,000
Acquire and develop fishing access sites	188,000
(4) From the federal and private revenue fund, state parks account, for:	
Construct Wayfarer state recreation area	62,500
Improve Ennis state recreation area	35,000
Improve Walstad memorial recreation area	5,000
Improve Rosebud state recreation area	12,500
Improve Beartooth recreation area	25,000
Improve West Shore State Park	12,500
Improve Hell Creek recreation area	12,500

AERONAUTICS COMMISSION

- (1) From the earmarked revenue fund,
aeronautics commission account, for:
- | | |
|---------------------------------------|--------|
| Renovate Yellowstone airport lighting | 50,000 |
| Construct general aviation airports | 50,000 |
- (2) From the federal and private grant
clearance fund, aeronautics
commission account, for:
- | | |
|--|--------|
| Renovate Yellowstone airport lighting | 50,000 |
| Construct general aviation airports
program | 50,000 |

HIGHWAY COMMISSION

- (1) From the earmarked revenue fund,
highway account, for:
- | | |
|---|-----------|
| Supplement highway commission
headquarters building
and complex | 1,319,230 |
| Construct and improve material and
equipment storage facilities,
weigh stations and utilities | 1,085,660 |

Section 12. The following money is appropriated from the construction advance account of the revolving fund, to the state controller for the biennium ending June 30, 1973, for the following capital projects; providing the funds are available from the sources indicated in the joint resolution or house bill authorizing the capital project:

MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY

Pre-plan physical education building	25,000
Pre-plan health center	10,000
Construct petroleum and engineering science building	1,500,000

MONTANA STATE UNIVERSITY

Construct health and physical education building	1,565,000
Construct stadium	750,000
Construct running track	50,000

NORTHERN MONTANA COLLEGE

Renovate armory-gym	75,000
Renovate Donaldson Hall	125,000

UNIVERSITY OF MONTANA

Renovate women's center	110,000
Construct swimming pool	350,000
Supplement renovation of health service building	85,000
Supplement addition and renovation of field house	440,000

WESTERN MONTANA COLLEGE

Reroof married student apartments	15,000
Pre-plan food service expansion	10,000

CHILDREN'S CENTER

Construct recreation center	69,675
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EMPLOYMENT SECURITY COMMISSION

Construct employment security building addition	499,000
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Supplement employment service building, Helena	40,000
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And, as amended, do pass.

HIMSL, Chairman

Report adopted.

March 4, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 35, respectfully report as follows: That House Joint Resolution No. 35 do pass.

HIMSL, Chairman

Report adopted.

March 4, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 36, respectfully report as follows: That House Joint Resolution No. 36 do pass.

HIMSL, Chairman

Report adopted.

March 4, 1971

Mr. Speaker: We, your Committee on Environment and Resources, having had under consideration House Resolution No. 32, respectfully report as follows: That House Joint Resolution No. 32 be adopted.

LUNDGREN, Chairman

Report adopted.

HOUSE RESOLUTION NO. 32

INTRODUCED BY BARDANOUVE.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE LEGISLATIVE COUNCIL TO STUDY, IN DETAIL, ALL ASPECTS OF THE MONTANA WATER RESOURCES BOARD.

WHEREAS, the Water Resources Board has many varied and complex functions and duties, and

WHEREAS, the Water Resources Board requires a large appropriation for its operation, and

WHEREAS, the operations of the Water Resources Board requiring such an appropriation should be fully understood by all people affected.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the legislative council study all phases of operation of the Water Resources Board.

BE IT FURTHER RESOLVED, that the study include reviewing and evaluating the plans and policies of the Water Resources Board.

BE IT FURTHER RESOLVED, that the legislative council use the services of the legislative auditor and the legislative audit committee.

BE IT FURTHER RESOLVED, that the study include reviewing all water projects of the Board and evaluate the policies with regard to each project.

BE IT FURTHER RESOLVED, that a detailed analysis be made of the costs of the operation and maintenance of each of the projects of the Board.

BE IT FURTHER RESOLVED, that the study determine if proper operation and maintenance charges are being made on the projects.

BE IT FURTHER RESOLVED, that the legislative council review the legal aspects of relinquishing projects to water users and request the cooperation and assistance of the Attorney General in making legal determinations of the relinquishment of said projects.

BE IT FURTHER RESOLVED, that the study be conducted in a comprehensive and complete way in order that the public and members of the legislative assembly be better informed as to all functions of the Water Resources Board.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Honorable Robert Woodahl, Attorney General of the State of Montana, the Legislative Auditor, and the Executive Director of the Legislative Council.

March 4, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration House Joint Resolution No. 37, respectfully report as follows: That House Joint Resolution No. 37 do pass.

HIMSL, Chairman

Report adopted.

March 4, 1971

Mr. Speaker: We, your Committee on Legislative Modernization, having had under consideration House Resolution No. 31, respectfully report as follows: That House Resolution No. 31 be not adopted.

DARROW, Chairman

Report adopted.

March 4, 1971

Mr. Speaker: We, your Committee on Legislative Modernization, having had under consideration House Resolution No. 19, respectfully report as follows: That House Resolution No. 19 be adopted.

DARROW, Chairman

Report adopted.

HOUSE RESOLUTION NO 19

INTRODUCED BY DARROW, LUCAS, MARBUT, CHRISTIANSEN, COX, HARRISON, FASBENDER, KVAALLEN, NICHOLS, FAGG, HIMSL, WATT, GERKE, HALL, BARDANOUVE, MEHRENS, HEALY, SCOTT, DYE, KELLER, ULMER, SWAN, FALKENSTERN, WHITNEY, HEMSTAD, EAST, J. MURPHY, E. SMITH, WARFIELD, LUND, C. SMITH, CAMPBELL, PREVOST, HAINES, LUNDGREN.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE FORTY-SECOND LEGISLATIVE ASSEMBLY OF THE STATE OF

MONTANA INSTRUCTING THE CHAIRMAN OF THE 1971-1972 LEGISLATIVE COUNCIL TO GIVE PRIORITY CONSIDERATION TO MEMBERS OF PERTINENT STANDING COMMITTEES OF THE HOUSE AND SENATE OF THE FORTY-SECOND LEGISLATIVE ASSEMBLY IN APPOINTING MEMBERS OF THE SUBCOMMITTEES OF THE COUNCIL.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

WHEREAS, under Rule III of the rules of procedure adopted by the legislative council, subcommittees of the council shall be established by appointment of the chairman of the council by and with the approval of the majority of the council present and voting at any regular or special meeting; and

WHEREAS, the members of the standing committees of the House and Senate develop some degree of knowledge and expertise on specified subjects by virtue of their service as standing committee members; and

WHEREAS, utilization of this knowledge and expertise by appointment of members of standing committees to subcommittees of the council which will be considering subject matter closely related to that of the standing committee should facilitate the conduct of studies undertaken by council subcommittees and the consideration of council proposals in the succeeding legislative assembly.

NOW, THEREFORE, BE IT RESOLVED that the chairman of the 1971-1972 legislative council is hereby instructed to give priority consideration consistent with rule III of the rules of procedure adopted by the legislative council to members of pertinent standing committees of the House and Senate of the Forty-Second Legislative Assembly in appointing members of the subcommittees of the council.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be requested to transmit a copy of this resolution to the office of the legislative council for presentation to the newly appointed council at its organizational meeting.

MESSAGES FROM THE SENATE

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, transferred the Conference Committee report on House Joint Resolution No. 26 from Third Reading and placed on Second Reading, in which the report was indefinitely postponed.

Respectfully,

CARTER PICOTTE
Asst. Secretary of the Senate

March 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the following Conference Committee reports, and the reports are herewith transmitted to the House.

Joint Conference Committee report on Senate Bill 325

Joint Conference Committee report on Senate Bill 232

Joint Conference Committee report on Senate Bill 126

Joint Conference Committee report on Senate Bill 88

Joint Conference Committee report on Senate Bill 325

Joint Conference Committee report on House Bill 61

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

MOTIONS AND RESOLUTIONS

Fagg moved that the Speaker appoint a new Conference Committee to meet with a like committee from the Senate to consider House Bill No. 423.

Giesick requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Scott made a motion for all motions pending that the House reconsider its action in failing to adopt an adverse conference committee report on House Bill No. 423.

Giesick requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed to pass by the following vote:

Ayes: Cox, Darrow, Fagg, Fitzgarrald, Forester, Giesick, Glennen, Harper, Healy, Hemstad, Himsl, Keller, Kolstad, Lee, Lockrem, Lockwood, Lund, Lynch, McGrath, Mehrens, J. Murphy, T. Murphy, Patrick, Nelstead, Quilici, Robbins, Selstad, C. Smith, E. Smith, Snortland, Ulmer, Warfield, Wolf, Mr. Speaker. Total 34.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Campbell, Christiansen, Devine, Dye, East, Edland, Falkenstern, Fasbender, Gerke, Greely, Gunderson, Haines, Hall, Harrison, Hodges, Jackson, Johnston, Kendall, Knudsen, Kvaalen, Laas, Lanthorn, Lien, Lombardi, McKittrick, McNamer, Marbut, Marks, Mather, Menahan, Norman, Olson, Parrish, Prevost, Schoonover, Scott, Shelden, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody. Total 60.

Absent or not voting: Brown, Burnett, Clemow, Eggebrecht, Ellerd, Fleming, Kosena, Lundgren, Nichols, Perry. Total 10.

Excused: None.

Paired: Giesick, aye; Schoonover, no.

The original motion to appoint a new Conference Committee carried by the following vote:

Ayes: Anderson, Bennett, Brand, Brown, Burnett, Cox, Darrow, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glenn, Harper, Healy, Himsl, Keller, Kolstad, Kosena, Kvaalen, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Perry, Nelstead, Prevost, Quilici, Robbins, Selstad, C. Smith, E. Smith, Snortland, Ulmer, Warfield, Wolf, Zimmer, Mr. Speaker. Total 52.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bradley, Campbell, Christiansen, Clemow, Devine, Dye, Edland, Fasbender, Gerke, Greely, Gunderson, Haines, Hall, Harrison, Hemstad, Hodges, Jackson, Johnston, Kendall, Knudsen, Laas, Lanthorn, Lien, McKittrick, Marbut,

Mather, Norman, Olson, Parrish, Patrick, Schoonover, Scott, Shelden, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Watt, Weeding, Whitney, Worden, Yardley, Zody. Total 50.

Absent or not voting: Nichols, Spilde. Total 2.

Excused: None.

Paired: Giesick, aye; Schoonover, no.

The Speaker appointed the following Conference Committee to consider House Bill No. 423: Fagg, Giesick, McKittrick.

I have examined House Bill No. 15, introduced by me, and find the same to be correct.

ROBBINS

I have examined House Bill No. 19, introduced by me, and find the same to be correct.

KELLER

I have examined House Bill No. 106, introduced by me, and find the same to be correct.

SCOTT

I have examined House Bill No. 355, introduced by me, and find the same to be correct.

BURNETT

I have examined House Bill No. 419, introduced by me, and find the same to be correct.

GIESICK

I have examined House Bill No. 598, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 249, introduced by me, and find the same to be correct.

T. MURPHY

I have examined House Bill No. 201, introduced by me, and find the same to be correct.

MARBUT

I have examined House Bill No. 286, introduced by me, and find the same to be correct.

WATT

I have examined House Bill No. 497, introduced by me, and find the same to be correct.

TOWE

I have examined House Bill No. 499, introduced by me, and find the same to be correct.

TOWE

I have examined House Bill No. 517, introduced by me, and find the same to be correct.

YARDLEY

The Speaker signed the following bills in open session: House Bills Nos. 15, 19, 106, 355, 419, 598, 249, 201, 286, 497, 499, 517.

THIRD READING OF HOUSE BILLS

Anderson moved that further consideration of House Bill No. 600 be indefinitely postponed.

Lundgren requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion carried by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Brand, Burnett, Campbell, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fitzgarrahd, Gerke, Haines, Harper, Healy, Hemstad, Jackson, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lund, Lynch, McGrath, Mehrens, Menahan, T. Murphy, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Whitney, Wolf, Worden. Total 51.

Noes: Ainsworth, Baeth, Bennett, Bradley, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Fagg, Fasbender, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Himsl, Hodges, Johnston, Kendall, Lanthorn, Lien, Lockrem, Lundgren, McKittrick, McNamer, Marbut, Mather, J. Murphy, Norman, Parrish, Robbins, Shelden, Staigmillier, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Yardley, Zody, Mr. Speaker. Total 46.

Absent or not voting: Bardanouve, Harrison, Lockwood, Marks, Nichols, Zimmer. Total 6.

Excused: Schoonover. Total 1.

March 4, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 457, 141, 140, 406, 434, 315, 61, 609.

MARKS, Chairman

I have examined House Bill No. 457, introduced by me, and find the same to be correct.

CHRISTIENSEN

I have examined House Bill No. 141, introduced by me, and find the same to be correct.

CHRISTIENSEN

I have examined House Bill No. 140, introduced by me, and find the same to be correct.

CHRISTIENSEN

I have examined House Bill No. 406, introduced by me, and find the same to be correct.

HIMSL

I have examined House Bill No. 434, introduced by me, and find the same to be correct.

HAINES

I have examined House Bill No. 315, introduced by me, and find the same to be correct.

EAST

I have examined House Bill No. 61, introduced by me, and find the same to be correct.

SELSTAD

I have examined House Bill No. 609, introduced by me, and find the same to be correct.

NICHOLS

The Speaker signed the following bills in open session: House Bills Nos. 457, 140, 141, 406, 434, 315, 61, 609.

REPORTS OF SELECT COMMITTEES

Mr. President and Speaker of the House:

We, your Joint Conference Committee, having had under consideration House Amendments to Senate Bill No. 225, respectfully report and recommend as follows:

That the House recede from its amendment to Senate Bill No. 225, and that a new Section 4 be inserted to read as follows:

“Security guards shall be authorized to carry firearms between sunset and sunrise and at any time when acting as guards for transportation of money or other valuables.”

For the Senate:	GROFF SHEEHY DESCHAMPS
For the House:	LUND CAMPBELL KNUDSEN

Lund moved for adoption of the Conference Committee report.

As a substitute motion, Parrish moved that the Conference Committee report be not adopted. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Bradley, Brand, Greely, Gunderson, Hall, Hodges, McKittrick, Marbut, Norman, Parrish, Scott, Staigmiller, Towe, Watt. Total 14.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Glennen, Haines, Harper, Healy, Hemstad, Himsl, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swanberg, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 79.

Absent or not voting: Bardanouve, Fagg, Gerke, Giesick, Harrison, Jackson, Laas, Lockwood, Swan, Yardley. Total 10.

Excused: Schoonover. Total 1.

Thereupon the Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Glennen, Haines, Harper, Healy, Hemstad, Himsl, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn,

Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swanberg, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 79.

Noes: Bradley, Brand, Greely, Gunderson, Hall, Hodges, McKittrick, Marbut, Norman, Parrish, Scott, Staigmiller, Towe. Total 13.

Absent or not voting: Bardanouve, Cox, Fagg, Gerke, Giesick, Harrison, Jackson, Lockwood, Swan, Watt, Yardley. Total 11.

Excused: Schoonover. Total 1.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dye moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Mather in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 383 be moved to the bottom of the board.

That House Bill No. 382 be moved to the bottom of the board.

That House Bill No. 597 do pass.

That House Bill No. 619 do pass.

That House Bill No. 383 be amended in section 4, line 22 by striking the figure "1,015,928" and inserting in lieu thereof "1,055,928",

And be further amended in section 7, page 4, lines 4 and 5 by striking the figure "1,015,928" and inserting in lieu thereof "1,055,928",

And as amended, do pass.

That House Bill No. 382 do pass.

That the Committee rise and report and beg leave to sit again.

MATHER, Chairman

Report adopted.

March 4, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 230, 581, 482, 374, 568, 580, 408, 361, 254, 299, 287, 338, House Joint Resolution No. 33, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 12:00 o'clock, noon, delivered to the Governor for his approval.

MARKS, Chairman

REPORTS OF SELECT COMMITTEES

March 2, 1971

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee, having

had under consideration House Committee of the Whole Amendments to Senate Bill No. 232, beg leave to report as follows:

Your Committee recommends that:

The Senate accede to the House Amendments on page 5, section 1, subsection (10) of Senate Bill 232;

There be inserted a new paragraph between the enacting clause and Section 1 of the bill, at line 9, page 1, as follows:

“Section 1. There is enacted a new section in lieu of former section 92-710, R.C.M., 1947, heretofore repealed, to be numbered Section 92-710, R.C.M., 1947, the provisions of which shall be administered under the Industrial Accident Board as part of the Workmen's Compensation Act, as follows:”

The words and figures “Section 1.” in line 10, page 1 of Section 1 be omitted, and there be inserted in lieu thereof the figures “92-710.”

Senate Bill No. 232, as amended, be concurred in.

For the Senate: SHEEHY
SIDERIUS
LOWE

For the House: AINSWORTH
OLSON
NORMAN

The Conference Committee report was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Falkenstern, Fasbender, Fitzgarrald, Fleming, Giesick, Glenen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Sheldon, C. Smith, E. Smith, Staigmillier, Sverdsten, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 85.

Noes: Anderson, Ellerd, Hemstad, Selstad, Snortland. Total 5.

Absent or not voting: Aber, Aspevig, Burnett, Christiansen, Fagg, Forester, Gerke, McGrath, Marks, Robbins, Spilde, Swan, Warfield. Total 13.

Excused: Schoonover. Total 1.

March 4, 1971

Mr. Speaker: We, your Conference Committee, having had under consideration House Bill No. 490, have been unable to agree and request the Conference Committee be discharged.

HARRISON, Chairman

Report adopted.

March 4, 1971

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee on Senate Bill No. 270, beg leave to report as follows:

That we met this day and considered House amendments to Senate Bill 270 and recommend as follows:

That we recede from the House amendments and in Senate Bill 270

amend on page 1, section 1, subsection (b), line 19 of the bill approved by Committee of the Whole after the word "marijuana" by inserting the material "and its derivatives", and

Further amend on page 1, section 1, subsection (b), lines 21 through 24, after the material "years." by striking all of the remaining material in subsection (b) and inserting in lieu thereof the material "Any person convicted of a criminal possession of marijuana or its derivatives in an amount the aggregate weight of which does not exceed sixty grams of marijuana, or one gram of hashish, shall, for the first offense, be guilty of a misdemeanor and is punishable by a fine not to exceed \$1,000 or by imprisonment in the county jail not to exceed one year, or by both such fine and imprisonment. A person convicted of a second, or subsequent, offense under this subsection is punishable by a fine not to exceed \$1,000 or by imprisonment in the county jail not to exceed one year or in the state prison not to exceed three years or by both such fine and imprisonment.", and

Further amend on pages 1 and 2, section 1, subsection (c), by striking all of subsection (c) in its entirety and inserting in lieu thereof the material "(c) A person of the age of twenty-one years or under convicted of a first violation under this section shall be presumed to be entitled to a deferred imposition of sentence. Jurisdiction under this section shall be exclusively in the district court.

This act shall be effective upon passage and approval."

And recommend that the same be adopted.

For the Senate: McKEON
FLYNN
TURNAGE

For the House: SCOTT
LANTHORN
BRADLEY

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fasbender, Fitzgarrald, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, Marbut, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Scott, Shelden, C. Smith, Spilde, Staigmillier, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 81.

Noes: Forester, Giesick, Keller, Kolstad, Lockrem, McKittrick, Mather, Perry, Selstad, Snortland, Whitney. Total 11.

Absent or not voting: Campbell, Fagg, Falkenstern, Jackson, McNamer, Marks, Mehrens, Robbins, E. Smith, Sverdsten, Zimmer. Total 11.

Excused: Schoonover. Total 1.

March 4, 1971

Mr. Speaker: We, your Conference Committee, having had under consideration Senate Amendments to House Bill No. 455, respectfully report that we are unable to agree and request that the Committee be discharged.

FORESTER, Chairman

March 4, 1971

Mr. President and Speaker of the House:

We, your Free Senate and House Conference Committee, having had under consideration House Amendments to Senate Bill No. 200, beg leave to report as follows:

That your Committee has failed to agree and we ask that the Committee be dissolved.

For the Senate: COTTON
GILFEATHER
MATHERS
For the House: WARFIELD
SHELDEN
MATHER

Report adopted.

March 4, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 429, 353, 589, 65, 81, 258, 265, 531, 316, 426, 293, 337, 169, 259, 432, 453, House Joint Resolutions Nos. 44, 9, 6, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 2:00 o'clock, p.m., delivered to the Governor for his approval.

BURNETT

MESSAGES FROM THE SENATE

March 4, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the second Conference Committee appointed to confer on Senate Amendments to House Bill No. 490, and a third Conference Committee was appointed.

The President appointed the following:

Senator Sheehy—Chairman
Senator James
Senator Rehberg

Respectfully,
CARTER PICOTTE
Asst. Secretary of the Senate

MOTIONS AND RESOLUTIONS

Forester moved that Senate Amendments to House Bill No. 455 be placed on Second Reading. Motion carried.

Kolstad moved that the House reconsider its action in indefinitely postponing House Bill No. 600.

Hall asked for a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Kvaalen moved the previous question. Motion carried.

The motion to reconsider passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Cox, Darrow, Devine, Dye, Edland, Ellerd, Fagg, Fasbender,

Fleming, Forester, Glennen, Greely, Gunderson, Hall, Harrison, Himsl, Hodges, Johnston, Kendall, Kolstad, Lien, Lockrem, Lockwood, Lundgren, McKittrick, McNamer, Marbut, Mather, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 57.

Noes: Aber, Anderson, Asbjornson, Aspevig, Burnett, Campbell, Clemow, East, Falkenstern, Fitzgarrald, Gerke, Haines, Harper, Healy, Hemstad, Jackson, Keller, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lombardi, Lund, Lynch, McGrath, Mehrens, Menahan, Patrick, Perry, Prevost, Quilici, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Whitney, Wolf, Worden. Total 43.

Absent or not voting: Eggebrecht, Giesick, Marks, Robbins. Total 4.

Excused: None.

Paired: Schoonover, aye; Anderson, no.

REPORTS OF SELECT COMMITTEES

March 4, 1971

Mr. President and Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 34, respectfully report and recommend as follows:

That the Senate recede from the Senate Amendments to House Bill No. 34.

For the Senate: BERTSCHE
BOLLINGER
MORITZ

For the House: GIESICK
MARKS
LAAS

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 93.

Noes: Lien. Total 1.

Absent or not voting: Eggebrecht, Fagg, Fasbender, McNamer, Marks, T. Murphy, Robbins, Swanberg, Zimmer. Total 9.

Excused: Schoonover. Total 1.

MOTIONS AND RESOLUTIONS

Harrison moved that the Speaker appoint a Free Conference Com-

mittee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 490. Motion carried.

The Speaker appointed the following committee: Worden, Olson, Bardanouve.

MESSAGES FROM THE SENATE

March 4, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times at length House Bill No. 617, and concurred in, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

March 4, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the present Conference Committee appointed to confer on Senate Amendments to House Bill No. 423 and a new Conference Committee was appointed.

The President appointed the following:

Senator Goodheart—Chairman

Senator Sheehy

Senator Turnage

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Mather in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 455 be concurred in.

That the Committee rise and report and beg leave to sit again.

MATHER, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

March 2, 1971

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee, having had under consideration House Committee of the Whole Amendments to Senate Bill No. 126, beg leave to report as follows:

That the House recede from paragraph 1 of the House Committee of the Whole Amendments dated 2/26/71.

That the Senate accede to the remaining House Committee of the Whole Amendments dated 2/26/71.

That the Joint Conference Committee recommends the bill be further amended as follows:

Amend on page 11, line 25, of the amended bill, before the word "for" by striking the words and figures "twenty dollars (\$20)" and inserting in lieu thereof the words and figures "ten dollars (\$10)".

That Senate Bill No. 126 be concurred in, as so amended.

For the Senate: GRAHAM
BENNETT
MITCHELL

For the House: SELSTAD
FITZGARRALD
WEEDING

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Burnett, Christiansen, Cox, Darrow, Dye, East, Edland, Ellerd, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Scott, Selstad, Sheldon, C. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 84.

Noes: Brand, Himsl, Lund, Prevost, E. Smith. Total 5.

Absent or not voting: Brown, Campbell, Clemow, Devine, Eggebrecht, Fagg, Fasbender, Kvaalen, McGrath, Patrick, Quilici, Robbins, Whitney, Yardley. Total 14.

Excused: Schoonover. Total 1.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 597 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Christiansen, Cox, Devine, Dye, East, Edland, Eggebrecht, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Scott, Sheldon, E. Smith, Spilde, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Zimmer, Zody, Mr. Speaker. Total 75.

Noes: Aber, Bardanouve, Burnett, Darrow, Ellerd, Greely, Gunderson, Haines, Hall, Hemstad, Keller, Lockrem, Lockwood, McKittrick, Perry, Selstad, C. Smith, Snortland, Staigmiller, Wolf, Worden, Yardley. Total 22.

Absent or not voting: Campbell, Clemow, Fagg, Fasbender, Quilici, Robbins. Total 6.

Excused: Schoonover. Total 1.

House Bill No. 619 was passed by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Scott, Shelden, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 88.

Noes: Ainsworth, Burnett, Giesick, Hemstad, Hodges, Keller, McNamer, Patrick, Perry, Prevost, C. Smith, E. Smith, Snortland, Sverdsten, Weeding, Wolf. Total 16.

Absent or not voting: Anderson, Brand, Campbell, Fagg, Fasbender, Quilici, Robbins, Selstad, Zimmer. Total 9.

Excused: Schoonover. Total 1.

House Bill No. 383 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Quilici, Scott, Shelden, C. Smith, E. Smith, Spilde, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 83.

Noes: Aber, Brand, Brown, Burnett, Falkenstern, Hemstad, Keller, McNamer, Marks, Perry, Prevost, Selstad, Snortland, Sverdsten, Swan, Whitney, Wolf. Total 17.

Absent or not voting: Fagg, Lundgren, Robbins. Total 3.

Excused: Schoonover. Total 1.

House Bill No. 382 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fasbender, Fleming, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Quilici, Scott, Shelden, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 76.

Noes: Aber, Brand, Brown, Burnett, Falkenstern, Fitzgarrald, Forester, Giesick, Hemstad, McNamer, Marks, Perry, Prevost, Selstad, C.

Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Whitney, Wolf.
Total 22.

Absent or not voting: Fagg, Haines, Lundgren, J. Murphy, Robbins.
Total 5.

Excused: Schoonover. Total 1.

House Bill No. 600 was passed by the following vote:

Ayes: Ainsworth, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Christiansen, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harrison, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lien, Lockrem, Lockwood, Lund, Lundgren, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Quilici, Scott, Shelden, C. Smith, E. Smith, Staigmillier, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 72.

Noes: Aber, Anderson, Asbjornson, Brand, Burnett, Campbell, Clemow, East, Falkenstern, Harper, Healy, Jackson, Kvaalen, Lanthorn, Lee, Lombardi, Lynch, McGrath, Patrick, Perry, Prevost, Selstad, Snortland, Spilde, Whitney, Wolf, Worden. Total 27.

Absent or not voting: Haines, J. Murphy, Robbins, Sverdsten. Total 4.

Excused: Schoonover. Total 1.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, was disposed of in the following manner:

Senate Amendments to House Bill No. 455 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Gunderson, Harrison, Hemstad, Johnston, Keller, Kendall, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, Marks, Mather, T. Murphy, Nichols, Olson, Parrish, Perry, Nelstead, Prevost, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 70.

Noes: Anderson, Baeth, Bardanouve, Brand, Christiansen, Fasbender, Gerke, Greely, Hall, Harper, Healy, Himsl, Hodges, Jackson, Kosena, Lee, Lombardi, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, Norman, Patrick, Quilici, Staigmillier, Towe, Weeding. Total 30.

Absent or not voting: Haines, J. Murphy, Robbins. Total 3.

Excused: Schoonover. Total 1.

Harrison moved that the House stand in recess until 5:00 p.m., this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

March 4, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 98, 144, 616, 615.

MARKS, Chairman

REPORTS OF SELECT COMMITTEES

March 4, 1971

Mr. President and Speaker of the House:

We, your Joint Committee appointed to consider proposals for study by the legislative council, respectfully recommend that the legislative council undertake the following projects during the 1971-72 interim as time permits in priority order as follows:

1. HJR 1: Conduct a study of the public welfare programs administered by the Department of Public Welfare, as requested in House Joint Resolution 1.
2. HJR 38: Study the feasibility of home rule for municipalities as requested by House Joint Resolution 38, and if the committee appointed to deal with the matter of home rule should so choose may have the discretion to include Senate Resolution 36 within the study.
SR 36:
3. SJR 9: Conduct a study of programs and degrees in public and private educational systems as requested by Senate Joint Resolution 9, as amended.
4. SR 18: Evaluate the reasons for the disbursement of state school equalization to school districts on a semiannual basis and to propose an administrative timing for disbursement of state school equalization aid as requested by Senate Resolution 18.
5. HR 32: Study in detail all aspects of the Montana Water Resources Board as requested by House Resolution 32 and Senate Resolution 40, which are identical.
SR 40:

In addition to these studies, your Joint Committee recommends that the legislative council conduct a staff study on self-insurance for public schools as requested by House Joint Resolution 23.

Your Joint Committee further recommends that the legislative council undertake the following projects if time permits:

- HJR 29: Study the feasibility of adopting a no-fault motor vehicle insurance plan as requested by House Joint Resolution 29.
- HR 20: Conduct a comprehensive study of the statutes relating to insurance to ascertain whether health service corporations should be brought under the jurisdiction of the insurance commission as requested in House Resolution 20.
- HJR 50: Study the feasibility of establishing a set of standard, state-wide plans for construction of elementary and secondary school buildings in Montana as requested by House Joint Resolution 50.
- SJR 24: Study state laboratory systems with the objective of establishing the best possible laboratory facilities, personnel,

administration and equipment as requested in Senate Joint Resolution 24.

For the Senate: JAMES
GRAHAM
McGOWAN
HAZELBAKER
MACKAY
COCHRANE

For the House: ULMER
BURNETT
COX
McGRATH
HALL
WATT

Report adopted.

March 4, 1971

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee, having had under consideration Senate Bill No. 250, beg leave to report as follows:

Amend the title of the Committee Approved Bill, February 9, 1971, being line 7, page 1, after the word "work" by striking the following words "and providing for group location work upon up to ten (10) contiguous claims."

And further amend the title on line 15, page 1, after the word "work" by striking "upon" and inserting the following new words and figure "up to ten (10)."

And further amend the title, being line 19, page 1, after the word "same" by striking the "period" and inserting a "comma" and adding the following new material: "providing for reclamation and providing for reclamation standards, repealing Section 50-706, R.C.M., 1947, and providing for an effective date."

And further amend section 1, subsection 3, page 3, lines 13 through and including line 30, and line 1 through and including line 30, page 4, and line 1, page 5, by striking it in its entirety and inserting the following new material in lieu thereof:

3. Within sixty (60) days after posting such notice, he shall sink a shaft upon the vein, lode, or deposit, at or near the point of discovery, to be known as the discovery shaft. Such shaft shall be sunk to the depth of at least ten feet, vertically, below the lowest part of the rim of such shaft at the surface, or deeper if necessary to disclose the vein or deposit located, and the cubical contents of such shaft shall be not less than one hundred and fifty cubic feet; provided, that any cut or tunnel which discloses the vein, lode, or deposit, located at a vertical depth of at least ten feet below the natural surface of the ground, and which constitutes at least one hundred and fifty cubic feet of excavation, shall be deemed the equivalent of such shaft.

4. If no discovery of a valuable mineral deposit is made, in the search for a lode or mining claim, the person must, within thirty days upon completion of exploration work, reclaim the land disturbed, to the satisfaction of the Board, and no claim shall be made to the land.

And further amend section 2, line 4, through and including line 30, page 5, line 1 through and including line 30, page 6, and line 1 through and including line 3, page 7, by striking it in its entirety and inserting in lieu thereof the following new material:

"50-702. Record of certificate of location. Within sixty days after

posting the notice of location, and for the purpose of constituting constructive notice of the location, the locator shall record his certificate of location in the office of the county clerk of [the] each county in which such mining claim is situated. Such [record shall consist of a certificate of location containing] certificate of location shall be limited to a single mining claim and shall clearly set forth:

1. The name of the [lode or] claim and whether located as a lode or placer claim.

2. The name and post office address of the principal [each of the] locator [or locators, if there be more than one.]

3. The date of location, and such description of said claim, by course and distance of its beginning point from [with reference to] some prominent natural object or permanent monument, and by each course and distance of its boundaries as will [identify] permit identification of the claim upon the ground, and the section, township, and range in which the claim is located as determined by the locator from a map of the area published by official government sources (whether federal, state or local), which map shall be identified in the certificate of location.

4. In the case of a lode discovery, the direction and distance claimed from the discovery point to the end lines and to the parallel lines.

5. In the case of a placer discovery, the dimensions of area of the claim, and the location thereon on the discovery point.

6. A description and the location of the work done and the cost thereof. If two (2) or more contiguous claims, a certificate for each claim giving a description and the location of the work done at a point or points upon the group for whose benefit the work was done, and the total cost thereof. Such certificate of location must be verified, before some officer authorized to administer oaths, by the locator, or one of the locators if there be more than one, or by authorized agent. In the case of a corporation, the verification may be made by any officer thereof, or by an authorized agent. When verification is made by an agent, the fact of the agency shall be stated in the affidavit. A certificate of location so verified, or a certified copy thereof, is prima facie evidence of all facts properly recited therein. The failure or neglect of the locator or locators to comply with the location work or recording requirements of sections 50-701 and 50-702 of this code shall create a prima facie presumption of intent to abandon and the ground is open to location.

7. A certificate of location constituted, verified and recorded as here required, or a certified copy of such recorded certificate of location, is prima facie evidence of all facts recited therein required to be shown by this section. Failure of the locator or locators to record a certificate of location as here required, shall be prima facie evidence of abandonment and surrender of the claim earlier located; provided, however, that nothing herein contained shall be held to authorize any county clerk to refuse to accept for recording any duly verified certificate of location filed for recording after the period earlier provided therefor or apparently deficient in any other respect.

Amend section 3, page 7, lines 6 through and including line 30, and page 8, lines 1 through and including line 7 by striking the material contained therein and shall read as follows:

50-704. Recording of affidavit of performance of annual work. The owner of a lode or placer claim who performs or causes to be performed the annual work, or makes the improvements required by the laws of the United States in order to prevent the forfeiture of the claim, [may] within ninety [twenty] days after expiration of the federal annual assessment work period, except where suspension or nonperformance of such

work has been authorized by federal law and proof thereof has been filed in the same county clerk's office, record [the annual work, file] in the office of the county clerk of the county in which such claim is situated an affidavit of his own, or an affidavit of the person who performed such work or made the improvements, showing:

1. The name of the mining claim, and where situated, by section, township and range, and the book and page on which the certificate of location is recorded or, if the same has been amended, the latest such amendment which has been recorded.

2. The [number] value of [days'] the work done, and the character and value of the improvements [placed thereon] made for the benefit of such claim, and, if such work shall be of a nature which shall require separate proof under federal law such as geochemical and geophysical work, the affidavit here required shall include the original or duplicate original of each separate or special proof;

3. The dates between which [date of performing] such work, was done and [of making the] improvements made;

4. At whose instance the work was done or the improvements made;

5. The actual amount paid for work and improvements, and by whom paid when the same was not done by the owner.

And further amend section 3, page 8, line 8, by striking the figure "[8]" and inserting the figure "6" and by striking the words "[If two or more contiguous claims]" and inserting in lieu thereof the following new material: "If common benefit is claimed for two or more contiguous claims, each of which must contain a valid discovery, consisting of a lode or vein, in place, containing some valuable mineral deposit,"

And further amend section 3, page 8, line 15 by striking the "period" and adding the following new material: "and limited to no more than ten (10) claims."

And further amend section 3, page 8, line 30 by striking the figure "[9]" and inserting the figure "7".

And further amend Senate Bill 250, page 9, line 5 by adding the following new material:

Section 4. Section 50-713, R.C.M., 1947, is amended to read as follows:

"50-713. Defective locations good against persons with notice. The period of time prescribed by this law for the performance of any act shall not be deemed mandatory where the act is performed before the rights of third persons have intervened, and no defect in the posted notice or recorded certificate shall be deemed material, except as against one who has located the same group, or some portion thereof, in good faith and without notice. Notice to an agent who makes a location in behalf of another shall be deemed notice to his principal, and notice to one of several co-claimants shall be deemed notice to all. Nothing herein contained shall, of itself, be held to negate the prima facie effect of failing to record a certificate of location or affidavit of assessment work within the time required therefor as provided by sections 50-702(8) and 50-704(6)."

Section 5. The provisions of this act shall be administered and enforced by the State Department of Lands and Investments, who is granted the authority to accept federal monies, grants, gifts, or bequeaths. The Department may enter into cooperative agreements with other state departments for the administration of this act. The Commissioner of Lands and Investments, with the advice and consent of the appeals board, shall determine the necessary rules and regulations to enforce the provisions of this act.

Section 6. Any person who has been aggrieved by a decision of the commissioner shall have the right of an appeal to the appeals board comprised of the following: one (1) member of the fish and game department; two (2) registered mining engineers to be appointed by the governor, at least one (1) of whom shall not be an employee of the state or any agency or arm thereof; one (1) member from the state department of agriculture; one (1) member of the department of health; and one (1) member from the state department of planning and economic development; and one (1) member from the legal staff of the attorney general. The department heads of the afore mentioned departments shall appoint their member of the board and the governor shall appoint a chairman.

The appeal shall be instituted by filing a petition with the appeals Board within thirty (30) days after the denial of the permit. The petition shall contain a statement of the reasons for which the petitioner is aggrieved, and after reasonable notice the petitioner or his attorney or agent shall be afforded a hearing before the appeals board thereon.

Within fifteen (15) days after the hearing, the appeals board shall notify the petitioner in writing of its decision and the reasons therefor.

Section 7. Any person who is aggrieved by the final decision of the appeals board is entitled to judicial review under this act. Proceedings for review shall be instituted by filing a petition in a district court within thirty (30) days after the service of the final decision of the appeals board. Copies of the petition shall be promptly served upon the appeals board and all parties of record.

The petition shall include a concise statement of the facts upon which jurisdiction and venue are based, a statement of the manner in which the petitioner is aggrieved and the ground or grounds upon which the petitioner contends he is entitled to relief. The petition shall demand the relief to which the petitioner believes he is entitled.

Within thirty (30) days after the service of the petition or within further time allowed by the court, the appeals board shall transmit to the reviewing court the original or a certified copy of the entire record of the proceeding under review. By stipulation of all parties to the review proceedings, the record may be shortened. A party unreasonably refusing to stipulate to limit the record may be taxed by the court for the additional costs. The court may require or permit subsequent corrections or addition to the record.

If, before the date set for hearing, application is made to the court by the appellant for leave to present additional evidence and it is shown to the satisfaction of the court that the additional evidence is material and that there were good reasons for failure to present it in the proceeding before the appeals board, the court may order that the additional evidence be taken before the court.

The review shall be conducted by the court and shall be confined to the administrative and court record. In cases of alleged irregularities in procedure before the appeals board, not shown in the record, proof thereon may be taken in the court. The court, upon request, shall hear oral argument and receive written briefs.

The court shall not substitute its judgment for that of the appeals board as to the weight of evidence on questions of fact. The court may affirm the decision of the appeals board or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the findings, inferences, conclusions, decisions or proceedings were:

- (a) in violation of constitutional or statutory provisions:

(b) in excess of the statutory authority of the director, board, or the appeals board;

(c) made upon unlawful procedure;

(d) affected by other error of law;

(e) clearly erroneous in view of the reliable, probative and substantial evidence on the whole record, including the additional evidence introduced before the court as above provided;

(f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; or

(g) because findings of fact, upon issues essential to the decisions, were not made although requested.

Section 8. The provisions of this act are severable, and if any part or provision thereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts of the provisions of this act that are severable from the invalid applications.

Section 9. Section 50-706, R.C.M., 1947, is hereby repealed.

Section 10. This act is effective upon its passage and approval.

(Material in brackets denotes canceled type.)

And recommend that the same be adopted.

For the Senate: MCGOWAN
COCHRANE
BERTSCHE

For the House: FAGG
MARKS
JACKSON

The Conference Committee report was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Gunderson, Haines, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, Lynch, McNamer, Marbut, Marks, Mather, Menahan, J. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Scott, Sheldon, C. Smith, E. Smith, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 72.

Noes: Aspevig, Clemow, Fitzgarrald, Harper, Healy, Kolstad, Lee, Lombardi, McGrath, Mehrens, T. Murphy, Nichols, Perry, Quilici, Selstad, Snortland, Spilde, Sverdsten, Whitney, Wolf. Total 20.

Absent or not voting: Aber, Anderson, Brand, Greely, Hall, Knudsen, Kosena, Laas, McKittrick, Robbins, Worden. Total 11.

Excused: Schoonover. Total 1.

Dye moved that the House recess until 8:00 p.m. Motion carried.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

March 4, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 383.

MARKS, Chairman

March 4, 1971

REPORTS OF SELECT COMMITTEES

Mr. President and Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 490, respectfully report and recommend as follows:

That the House accede to the Senate Committee on State Administration Amendment adopted March 4, 1971.

For the Senate:	JAMES SHEEHY REHBERG
For the House:	WORDEN OLSON

The report was not adopted by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Burnett, Dye, Ellerd, Falkenstern, Fleming, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Laas, Lien, Lockrem, Lockwood, Marks, Mather, J. Murphy, Norman, Olson, Patrick, Nelstead, Selstad, E. Smith, Snortland, Watt, Wolf, Worden. Total 30.

Noes: Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Campbell, Christiansen, Clemow, Cox, Devine, East, Edland, Eggebrecht, Fagg, Fasbender, Fitzgarrald, Forester, Giesick, Glennen, Greely, Gunder-son, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Lanthorn, Lee, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, T. Murphy, Nichols, Parrish, Perry, Quilici, Scott, Shelden, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Weeding, Whitney, Zimmer, Zody, Mr. Speaker. Total 58.

Absent or not voting: Brand, Brown, Darrow, Gerke, Haines, Kosena, Lombardi, Lundgren, Prevost, Robbins, C. Smith, Spilde, Swan, Warfield, Yardley. Total 15.

Excused: Schoonover. Total 1.

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 93, beg leave to report as follows:

That we met this day and considered Senate Amendments to House Bill No. 93 and recommend as follows:

That Senate amendments be deleted in their entirety and that the following be inserted in lieu thereof:

That House Bill No. 93 be amended in the title in line 8, by omitting the words and figures "two dollars and fifty cents (\$2.50)" and inserting in lieu thereof the words and figures "two dollars (\$2.00)"; and

Further amend House Bill 93 in section 1, line 24, by omitting the words and figures "two dollars and fifty cents (\$2.50)" and inserting in lieu thereof the words and figures "two dollars (\$2.00)";

And recommend that the same be adopted.

For the Senate: SHEEHY
GROFF
STEIN

For the House: GIESICK
ABER
LIEN

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Parrish, Perry, Nelstead, Quilici, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Kendall, Norman, Patrick, Yardley. Total 4.

Absent or not voting: Brand, Burnett, Darrow, Fagg, Gerke, Haines, Kosenia, Lombardi, Prevost, Robbins, Spilde. Total 11.

Excused: Schoonover. Total 1.

MESSAGES FROM THE SENATE

March 4, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in House Bill No. 476, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

CARTER PICOTTE
Asst. Secretary of the Senate

March 4, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the House amendments to Senate Bill 200, and the Conference Committee was discharged.

Respectfully,

CARTER PICOTTE
Asst. Secretary of the Senate

March 4, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Senate this day read three several times and concurred in, as amended, the following House bills, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Bill No. 612, introduced by Haines

House Bill No. 614, introduced by Dye and Glennen

House Bill No. 607, introduced by Kvaalen, Himsl and Gerke

House Bill No. 611, introduced by Patrick and Lund

House Bill No. 613, introduced by Asbjornson, Spilde and Aspevig

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

MOTIONS AND RESOLUTIONS

Giesick moved that House Bill No. 605 be taken from the Appropriations Committee and be placed on Second Reading. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed to carry by the following vote:

Ayes: Brown, Cox, Fagg, Fleming, Forester, Giesick, Kendall, Kolstad, Lockrem, Lundgren, Lynch, Menahan, J. Murphy, Olson, Nelstead, Quilici, Snortland, Swanberg. Total 18.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Burnett, Campbell, Christiansen, Clemow, Devine, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Keller, Knudsen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lund, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Prevost, Scott, Selstad, Shelden, C. Smith, E. Smith, Spilde, Staigmiller, Sverdsten, Swan, Towe, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 74.

Absent or not voting: Brand, Darrow, Dye, Haines, Himsl, Kosena, Lombardi, Mehrens, Robbins, Ulmer, Zimmer. Total 11.

Excused: Schoonover. Total 1.

Fagg moved that the Conference Committee report on House Bill No. 423 filed with the Chief Clerk be withdrawn for the purpose of correction and refiled. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading. Motion carried.

Mather in the Chair. Committee arose.

House resumed: Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 40 do pass.

That Senate Amendments to House Bills Nos. 612, 614, 607, 611, 613 be passed for the day.

That the Committee rise and report and beg leave to sit again.

MATHER, Chairman

Mather moved that House Bill No. 40 be segregated from the Committee of the Whole report, and, as amended, the report be adopted. Motion carried.

REPORTS OF STANDING COMMITTEES

March 4, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 34, 617, and House Joint Resolution No. 36.

MARKS, Chairman

I have examined House Bill No. 34, introduced by me, and find the same to be correct.

MARKS

I have examined House Bill No. 617, introduced by me, and find the same to be correct.

BARDANOUE

I have examined House Joint Resolution No. 36, introduced by me, and find the same to be correct.

HEALY

I have examined House Bill No. 615, introduced by me, and find the same to be correct.

NICHOLS

I have examined House Bill No. 616, introduced by me, and find the same to be correct.

NICHOLS

I have examined House Bill No. 144, introduced by me, and find the same to be correct.

FASBENDER

I have examined House Bill No. 98, introduced by me, and find the same to be correct.

KELLER

The Speaker signed the following bills in open session: House Bills Nos. 34, 617, 615, 616, 144, 98, House Joint Resolution No. 36, Senate Bills Nos. 270, 263, 68, 99, 232, 225.

March 4, 1971

Mr. Speaker: We, your Committee on Enrollment to whom was referred House Bills Nos. 286 598 19, 355, 98, 15, 615, 616, 144, 499, 497, 457, 609, 140, 406, 434, 141, 61, 315, 106, 517, 249, 201, 419, do hereby report that said bills together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 9:30 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

Harrison moved that the House recess until 11:00 p.m. Motion carried.

House resumed. Mr. Speaker in the Chair.

The Speaker signed Senate Bill No. 274 in open session.

REPORTS OF STANDING COMMITTEES

March 4, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House employees, heretofore employed are to be removed from the employment list effective on adjournment March 4 1971.

Chief Clerk	Zack Stevens
Assistant Chief Clerk	Lyle Anderson
Secretary to the Chief Clerk	Sara Ellen Reid
Secretary to the Assistant Chief Clerk	Roberta K. Pool
Bills Clerk	Bernice S. Mitchell
Steno to Bills Clerk	Dolores Schulke
Journal Clerk	Rosella Wilson
Assistant Journal Clerk	Edna Mae Leonard
Journal Typist	Marie Nickolai
Reading Clerk	John F. Bell, Jr.
Steno	Jean Berberet
Printing Clerk	Frank Smith
Bills Co-ordinator	Madeline Samson
Assistant Bills Co-ordinator	Harriet Celar
Journal Proofreaders	Carrie Hardgrove Marjoria Zipperian
Chaplain	Rev. Roy D. Bergquist
Secretary to Speaker	Karen Nyberg
Secretary to Majority Leader	Virginia Sawyer
Secretary to Minority Leader	Ann D. Jensen
Secretary-Payroll Clerk	Virginia Michels
Sergeant-at-Arms	Robert S. Hanson
Assistant Sergeant-at-Arms	E. James Frost G. Steve Marbut Scott Balsam
Doorkeepers	Samuel H. Fisher Jerry Kirtley Robert C. Tobin Donald Casey
Parking Attendant	Robert B. Middlestead
Chief Steno	Martha P. Brass
Assistant Chief Steno	Eva K. Seeley

Stenographers	Beverly R. Adams Karen L. Cutler Louise B. Fulbright Pat Kirby Marian E. Kroll Mary E. Kunnary Mavis M. McCormick Lavada J. Marquardt Miriam J. Stock Judy A. Walters
Committee Secretaries	Bartley Carson Cathy Castles Noel Haegen Marie Hensleigh Barbara Lester Alice Omang Judy Pratt Pat Romine Louise Sullivan Hallie Weydemeyer Janette Winterbottom
Chief Multilith Clerk	Agnes R. Screnar
Aisstant Chief Multilith Clerk	Florence L. Stermitz
Multilith Clerks	Gladys Alvord D. John Blacker Carol A. Fister Robert G. Galland Hilda Haddow Ruth E. Hanson Debbra J. Kessner Michael J. Kokoruda Sandra Kovick Frances M. Meyer John D. Meyer Sharon Morgan Randolph M. Murgel Patricia J. Warfield
Chief Mailing Clerk	Orville C. Hanson
Assistant Chief Mailing Clerk	Helen Dragnich
Runner	Selmer J. Kolstad
Mailing Clerks	Isabel E. Creighton Lucille A. Reiner Alfhild M. Robertson Ann Shea
Night Watchmen	Cordell Brown Daniel R. Erving James P. Foley William Guldseth Daniel J. McCarthy Timothy M. Racicot
Chief Engrossing & Enrolling	Elizabeth B. Guffey
Assistant Chief Engrossing	Dolores Nan Perriman
Assistant Chief Enrolling	Zella P. Neilson
Chief Typist	Kay M. Rokke

Typists	Eleanor E. Bushilla Glenna J. Christofferson Cynthia C. Fitzgerald Bonnie J. French Charlotte F. Hoppe Shirley M. Jenks Paul R. Jezick Helen R. Mayer Alice J. Merritt Jo Arlene Nelson Gayle M. Nygaard Anna Marie Omholt Janice E. Saemen Gail M. Smith Carla J. Teigen
Runner	Turf T. Finnegan
Proofreaders	Marie A. Anderson Beryl M. Bielen Catherine M. Bradford Claudia B. Bunn Colleen M. Canty Jean M. Delaney Helen R. Dellwo Mary A. Diette June C. Easton Mercedes G. Hanson Ellen P. Kreis Jane C. Kufeld Geraldine Lowery Hilja S. Moe Zella P. Neilson Fontella R. Standley Helan C. Wilson
Security Guards	Gorden Koterba Kenneth A. Moore Dennis C. Nebel Tom Pocha George Warn Gerald L. Watne Dick J. Yetter
Pages	Ed Diemert Barbara Fisher John Hemmingson Clifford Lingen, Jr. Katherine Markette Pam Duncan Chris Kolstad Kent Matkin Dick Thompson

SPIILDE, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

March 4, 1971

Mr. President and Speaker of the House:

We your Joint Conference Committee, having had under consideration House Amendments to Senate Bill No. 301 respectfully report and recommend as follows:

That the Senate accede to House Amendments to Senate Bill No. 301.

For the Senate: BERTSCHE
CARL
SORENSEN

For the House: KVAALLEN
LUND
GUNDERSON

The Conference Committee report was adopted by the following vote:

Ayes: Aber Ainsworth Anderson Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fashbender, Fitzgarrald, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lund, Lundgren, Lynch, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Shelden, C. Smith, E. Smith, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Brown, Burnett. Total 2.

Absent or not voting: Brand, Fleming, Haines, Kolstad, Lombardi, McGrath, Robbins, Selstad, Snortland, Sverdsten. Total 10.

Excused: Schoonover. Total 1.

Fagg moved that the Conference Committee report on House Bill No. 423 be passed for the day. Motion carried.

I have examined House Bill No. 455, introduced by me, and find the same to be correct.

FORESTER

The Speaker signed House Bill No. 455 in open session.

MOTIONS AND RESOLUTIONS

Bardanouve moved that the House reconsider its action in not adopting a Conference Committee report on House Bill No. 490. Motion carried.

Bardanouve moved that the Joint Conference Committee report on House Bill No. 490 be adopted.

Mr. President and Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 490, respectfully report and recommend as follows:

That the House accede to the Senate Committee on State Administration Amendment adopted March 4, 1971.

For the Senate: JAMES
SHEEHY
REHBERG

For the House: WORDEN
OLSON

The Conference Committee report was adopted by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve,

Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Scott, Shelden, C. Smith, Snortland, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Aber, Burnett, Keller, McNamer, Selstad, Spilde, Sverdsten. Total 7.

Absent or not voting: Brand, Fagg, Haines, Kvaalen, Lombardi, McGrath, Mather, Robbins, E. Smith, Whitney. Total 10.

Excused: Schoonover. Total 1.

Harrison moved that the Speaker be allowed to hire or retain any employees a maximum of 15 days to finish up proceedings. Motion carried.

The Speaker made the following appointments to serve during the interim on the Legislative Council:

Environmental Quality Control council:	Darrow, Christiansen, Patrick, Fleming
Highway Interim:	Wolf, Healy
Legislative Council:	Himsl, Asbjornson, Cox, Bardanouve, Robbins, Kosena
Legislative Audit:	Worden, Nichols, Gerke, Zimmer
Constitutional Convention:	Murphy, Haines, Hall, Laas

March 4, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 34, 617, and House Joint Resolution No. 36, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 11:00 o'clock p.m., delivered to the Governor for his approval.

MARKS, Chairman

March 4, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 455, 540, 93, 476 and House Joint Resolutions Nos. 37, 35, 26.

MARKS, Chairman

I have examined House Bill No. 540, introduced by me, and find the same to be correct.

ANDERSON

I have examined House Bill No. 93, introduced by me, and find the same to be correct.

WOLF

I have examined House Bill No. 476, introduced by me, and find the same to be correct.

COX

I have examined House Joint Resolution No. 37, introduced by me, and find the same to be correct.

HEALY

I have examined House Joint Resolution No. 35, introduced by me, and find the same to be correct.

HEALY

I have examined House Joint Resolution No. 26, introduced by me, and find the same to be correct.

DARROW

The Speaker signed in open session the following bills: House Bills Nos. 540, 93, 476, House Joint Resolutions Nos. 37, 35, 26.

MESSAGES FROM THE GOVERNOR

March 4, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I have this day signed House Bill No. 169.

Sincerely,

FORREST H. ANDERSON
GOVERNOR

March 4, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I have this day signed the following measure: House Bill No. 353.

Sincerely,

FORREST H. ANDERSON
Governor

March 4, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I have this day signed the following measures: House Bills Numbers 6, 7, 55, 189, 199, 352, 444, and House Joint Resolutions Nos. 14 and 34.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

March 4, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in the following House Bills, title and history agreed to, and the bills are herewith returned to the House.

House Bill No. 610, introduced by Dye and Laas

House Bill No. 600, introduced by Darrow, et al

House Bill No. 382, introduced by Bardanouve and Nichols

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

REPORTS OF STANDING COMMITTEES

March 4, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 600.

MARKS, Chairman

March 4, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 490, 382, 610, 383.

MARKS, Chairman

I have examined House Bill No. 600, introduced by me, and find the same to be correct.

DARROW

I have examined House Bill No. 383, introduced by me, and find the same to be correct.

BARDANOUE

I have examined House Bill No. 382, introduced by me, and find the same to be correct.

BARDANOUE

I have examined House Bill No. 610, introduced by me, and find the same to be correct.

DYE

I have examined House Bill No. 490, introduced by me, and find the same to be correct.

LAAS

The Speaker signed the following House Bills in open session: Nos. 600, 383, 382, 610, 490.

March 4, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 455, 540, 93, 476, and House Joint Resolutions Nos. 37, 35, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 12:00 o'clock, m., delivered to the Governor for his approval.

MARKS, Chairman

MESSAGES FROM THE SENATE

March 4, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in House Bill No. 383, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

March 4, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in, as amended, the following House Joint Resolutions, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

House Joint Resolution No. 15, introduced by Haines, et al

House Joint Resolution No. 16, introduced by Haines, et al

House Joint Resolution No. 17, introduced by Haines, et al

House Joint Resolution No. 18, introduced by Haines, et al

House Joint Resolution No. 19, introduced by Forester, et al

House Joint Resolution No. 20, introduced by Forester, et al

House Joint Resolution No. 21, introduced by Forester, et al

Respectfully,

CARTER PICOTTE

Asst. Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the Speaker appoint a committee of five (5) members to notify the Honorable Governor that the House of Representatives of the Forty-Second Legislative Assembly of the State of Montana, having completed the Sixtieth Legislative Day, without completing its business, is about to adjourn sine die. Motion carried.

The Speaker thereupon appointed Asbjornson, E. Smith, Snortland, Johnston, Laas.

Harrison moved that the Speaker appoint a committee of five (5) members to notify the Honorable Senate that the House of Representatives of the Forty-Second Legislative Assembly of the State of Montana, having completed the Sixtieth Legislative Day, without completing its business, is about to adjourn sine die. Motion carried.

The Speaker thereupon appointed Nichols, Zody, Jackson, Lanthorn, McNamer.

Harrison moved that the Speaker appoint a committee of five (5) members to notify the Supreme Court that the House of Representatives of the Forty-Second Legislative Assembly of the State of Montana, having completed the Sixtieth Legislative Day, without completing its business, is about to adjourn sine die. Motion carried.

The Speaker thereupon appointed Ulmer, Swan, Giesick, Gunderson, Aspevig.

The Speaker appointed the following Capitol Building Complex Committee: Marks, Laas.

The Committee returned from the Governor, reporting that they had delivered the message and the Governor sent the following Proclamation back with them:

STATE OF MONTANA

PROCLAMATION

WHEREAS, Article VII, Section 11, of the Montana Constitution provides that the Governor may on extraordinary occasions convene the legislative assembly by proclamation; and

WHEREAS, The Forty-Second Legislative Assembly, convened in regular session, is ready to adjourn sine die; and

WHEREAS, The said Forty-Second Legislative Assembly, convened in regular session, is ready to adjourn without enacting appropriations for the necessary support of government; and without enacting legislation to reapportion the State House of Representatives and State Senate;

NOW, THEREFORE I, Forrest H. Anderson, Governor of the State of Montana, pursuant to the authority vested in me by the Constitution of Montana, do hereby convene the Forty-Second Legislative Assembly in Extraordinary Session at Helena, the Capital, at the hour of 1:00 P.M. on Monday, the Eighth day of March, 1971, for the purpose of consideration and action on the subjects hereinafter specified.

To appropriate money for the support of government.

To reapportion the State House of Representatives and the State Senate.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Montana to be affixed.

Done at the City of Helena, the Capital, this Fourth day of March, in the year of our Lord, one thousand nine hundred and Seventy-One.

FORREST H. ANDERSON
Governor of Montana

ATTEST:

FRANK MURRAY
Secretary of State

The Committee was thanked by the Speaker and discharged.

The Committee to the Supreme Court returned, saying that they had visited the Chambers but found no one home. The Speaker thanked the Committee, and it was discharged.

The House Committee appointed to notify the Senate that the House was ready to adjourn returned to report that the message had been delivered. The Speaker thanked the committee, and it was discharged.

The Speaker signed in open session Senate Bill No. 126.

March 4, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 382, 383, 490, 610, 600, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 12:00 o'clock, m., delivered to the Governor for his approval.

MARKS, Chairman

Motion was made by Harrison that the House of Representatives of the Forty-Second Legislative Assembly of the State of Montana now stand adjourned sine die. Motion carried.

House adjourned sine die.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

HOUSE JOURNAL

OF THE

Extraordinary Session

Forty-second Legislative Assembly

OF THE

STATE OF MONTANA

Commencing March 8, 1971

Ending April 3, 1971

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HOUSE JOURNAL
of the
Extraordinary Session
Forty-second Legislative Assembly
of the
STATE OF MONTANA

FIRST EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 8, 1971

Pursuant to the proclamation of His Excellency, the Governor, and to the Law in such cases, made and provided, the House of Representatives of the Forty-Second Legislative Assembly of the State of Montana, in Extraordinary Session Assembled, is hereby called to order by the Speaker, the Honorable James P. Lucas, at 1:00 p.m., Monday, March 8, 1971.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Anderson, Brand, Edland, Eggebrecht, Ellerd, Kvaalen, Laas, Lanthorn, Sverdsten, Watt, excused.

Upon motion of Representative Harrison, duly carried, the officers, organization, rules, joint rules, order of business and all standing committees of the Forty-Second Legislative Assembly were made the officers, organization, rules, joint rules, order of business and all standing committees of the Extraordinary Session of the Forty-Second Legislative Assembly.

Upon motion of Representative Harrison, duly carried, the Speaker was authorized to appoint a committee of five to notify His Excellency, the Governor, that the House was organized and ready for the transaction of business of this Extraordinary Session and was prepared to receive any message the Governor may wish to give. The Speaker appointed the following committee: Haines, Lundgren, East, Bardanoue, Gerke.

Upon motion of Representative Harrison, duly carried, the Speaker was authorized to appoint a committee of five to notify the Honorable Senate that the House was organized and ready for the transaction of business of this Extraordinary Session. The Speaker appointed the following committee: Nichols, Falkenstern, Spilde, Lee, Prevost.

Upon motion of Representative Harrison, duly carried, the Speaker was authorized to appoint a committee of five to notify the Supreme Court that the House was organized and ready for the transaction of business of this Extraordinary Session. The Speaker appointed the following committee: Asbjornson, Mather, Whitney, Mehrens, Gunderson.

HOUSE JOURNAL—EXTRAORDINARY SESSION FORTY-SECOND LEGISLATIVE ASSEMBLY

Harrison moved that the Legislative Administration committee retain or hire such employees as necessary. Motion carried.

The Speaker announced that the previously appointed Special Committees—Reorganization, Constitutional Convention, Reapportionment and Long Range Building—will continue to function with the same members.

The Committee of three from the Senate—Senator James, Senator Siderius and Senator Hazelbaker, was admitted and reported that the Senate was organized and ready for business for this Extraordinary Session.

The Committee to notify the Senate, returned and reported that the message had been delivered. The Speaker thanked the committee and it was discharged.

The Committee to notify the Supreme Court, returned and reported that the message had been delivered. The Speaker thanked the committee and it was discharged.

The Committee to notify His Excellency, the Governor, returned and reported that the Governor wishes us well and that he will be sending letters for action. The Speaker thanked the committee and it was discharged.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Extraordinary Session House Bill No. 1, introduced by Nichols. A bill for an act entitled: "An act appropriating money for the operation of the Extraordinary Session of the Forty-Second Legislative Assembly convened on March 8, 1971; specifying an immediate effective date." Referred to Committee on Appropriations.

Harrison moved that the House adjourn until 1:30 p.m., March 9, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

SECOND EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 9, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Eggebrecht, Gerke, Kolstad, Lockwood, McGrath, McKittrick, E. Smith, Weeding, excused.

Mr. Speaker, We, your Committee on Rules and Journal, have examined the Journal for the 1st Extraordinary Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 9, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be hired as attaches for the 42nd Legislative Extraordinary Session, effective March 8, 1971.

Chief Clerk.....	Zack Stevens
Assistant Chief Clerk.....	Lyle Anderson
Secretary to Chief Clerk.....	Sara Ellen Reid
Sec. to Asst. Chief Clerk.....	Roberta K. Pool
Bills Clerk.....	Bernice S. Mitchell
Steno to Bills Clerk.....	Dolores Schulke
Journal Clerk.....	Rosella Wilson
Assistant Journal Clerk.....	Edna Mae Leonard
Journal Typist.....	Marie Nickolai
Reading Clerk.....	John F. Bell, Jr.
Typist.....	Charlotte F. Hoppe
Chaplain.....	Rev. Roy D. Bergquist
Secretary to the Speaker.....	Karen Nyberg
Secretary to the Majority Leader.....	Virginia Sawyer
Secretary to the Minority Leader.....	Ann D. Jensen
Secretary-Payroll Clerk.....	Virginia Michels
Sergeant-at-Arms.....	Robert S. Hanson
Assistant Sergeant-at-Arms.....	Jerry Kirtley
	Selmer J. Kolstad
Doorkeeper.....	Samuel H. Fisher
Parking Attendant.....	Robert B. Middlestead
Bills Co-ordinator.....	Madeline Samson
Assistant Bills Co-ordinator.....	Jean Berberet
Journal Proofreaders.....	Carrie Hardgrove
	Catherine M. Bradford
Night Watchmen.....	Daniel R. Erving
	James P. Foley
	William Guldseth
	Daniel J. McCarthy
	Timothy M. Racicot
	Cordell Brown
Security Guards.....	Dennis Clarke
	Allan O'Leary
	Dennis C. Nebel
	James Dwyer
	James Funk
	George Warn
Chief Steno.....	Martha P. Brass
Assistant Chief Steno.....	Eva K. Seeley
Stenographers.....	Beverly R. Adams
	Catherine Castles
	Karen L. Cutler
	Noel Haegen
	Marie Hensleigh
	Pat Kirby
	Mary E. Kunnary
	Alice Omang
	Lavada J. Marquardt
	Pat Romine
	Judy A. Walters
	Janette Winterbottom

HOUSE JOURNAL—EXTRAORDINARY SESSION
FORTY-SECOND LEGISLATIVE ASSEMBLY

Committee Secretaries.....	Bartley Carson—Appropriations Barbara Lester Louise Sullivan
Chief Multilith Clerk.....	Agnes R. Srenar
Assistant Chief Multilith Clerk.....	Florence L. Stermitz
Multilith Clerks.....	D. J. Blacker Robert G. Galland Ruth E. Hanson Debbra J. Kessner Michael J. Kokoruda Frances M. Meyer Sharon Morgan Patricia J. Warfield
Chief Mailing Clerk.....	Orville C. Hanson
Assistant Chief Mailing Clerk.....	Helen Dragnich
Mailing Clerks.....	Isabel E. Creighton Lucille A. Reiner Ann Shea
Chief Engrossing & Enrolling.....	Elizabeth B. Guffey
Assistant Chief Engrossing.....	Dolores Nan Parriman
Assistant Chief Enrolling.....	Zella P. Neilson
Chief Typist.....	Kay M. Rokke
Typists.....	Eleanor E. Bushilla Cynthia C. Fitzgerald Bonnie J. French Alice J. Merritt Jo Arlene Nelson Gayle M. Nygaard Anna Marie Omholt Janice E. Saeman Gail M. Smith Carla J. Teigen
Proofreaders.....	Beryl M. Bielen Claudia B. Bunn Colleen M. Canty Helen R. Dellwo Mary A. Diette June C. Easton Mercedes G. Hanson Ellen P. Kreis Jane C. Kufeld Hilja S. Moe Fontella R. Standley Helen C. Wilson
Runner.....	Paul R. Jezick
Pages.....	Carol Bossing Tara Brusett Roy Darrow Doug Diehl Pam Duncan Tom Hauptman Debbie Miller Robin Robbins

SPILDE, Chairman

Report adopted.

March 9, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session House Bill No. 1, respectfully

report as follows: That Extraordinary Session House Bill No. 1 be amended on page 1, section 1, line 11, after the word "hundred" insert the word "fifty" and after the word "dollars", strike the material "(\$100,000)" and insert in lieu thereof "(\$150,000)",

And as amended, do pass.

NICHOLS, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

March 8, 1971

Honorable James P. Lucas
Speaker of the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I have this day signed House Bill No. 615.

Sincerely,

FORREST H. ANDERSON
Governor

March 9, 1971

Honorable Frank Murray
Secretary of State
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed the following measures: House Bills Nos. 9, 15, 29, 30, 31, 42, 66, 96, 98, 113, 118, 177, 195, 203, 213, 214, 215, 216, 217, 234, 243, 390, 399, 417, 432, 478, 520, 537, House Joint Resolutions Nos. 23 and 43, and Senate Bills Nos. 70, 171, 194, 234, 270, 296, 302, 305, and 322.

Sincerely,

FORREST H. ANDERSON
Governor

March 9, 1971

Honorable Thomas L. Judge
President of the Senate
State Capitol
Helena, Montana

Honorable James P. Lucas
Speaker for the House
House of Representatives
Helena, Montana

Gentlemen:

In addition to those subjects specified in my Proclamation of March 4, 1971, convening the Forty-second Legislative Assembly in Extraordinary Session, I hereby request that the Forty-second Legislative Assembly, convened in Extraordinary Session consider and act upon the subject hereinafter specified:

HOUSE JOURNAL—EXTRAORDINARY SESSION FORTY-SECOND LEGISLATIVE ASSEMBLY

Measures and appropriations to provide for an effective long-range building program.

Sincerely,

FORREST H. ANDERSON
Governor

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Extraordinary Session House Bill No. 2, introduced by Nichols and Haines: A bill for an act entitled: "An act to appropriate moneys to the Highway Patrol for the purpose of relocating the offices of the Registrar of Motor Vehicles." Referred to Committee on Appropriations.

Harrison moved that the House adjourn until 1:30 p.m., March 10, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

THIRD EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 10, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Speaker Pro Tem in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Campbell, Clemow, Devine, Edland, Harper, Hemstad, Hodges, Knudsen, Kolstad, Lee, Lynch, McNamer, Mehrens, Menahan, Olson, Quilici, E. Smith, Weeding, Yardley, Zimmer, Mr. Speaker.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Second Extraordinary Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 10, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: Extraordinary House Bill No. 1.

MARKS, Chairman

March 10, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House attaches be removed from the payroll, effective dates listed.

John F. Bell, Jr., Reading Clerk	3/9/71
Carrie Hardgrove, Proofreader	"
Noel Hagen, Steno	"
Alice Omang, Steno	"
Janette Winterbottom, Steno	3/10/71
Proofreaders: Catherine M. Bradford	"
Ellen P. Kreis	"
Fontella R. Standley	"
Page: Pam Duncan	"
Typists: Bonnie J. French	"
Alice J. Merritt	"
Gayle M. Nygaard	"
Anna Marie Omholt	"
Cynthia C. Fitzgerald	3/11/71

SPIILDE, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Keller moved that the Speaker of the House of Representatives write a letter to the Governor requesting that he either allow the Legislature to proceed with attempts to find additional revenue sources or to advise the legislature to prepare a budget based on present sources of revenue.

As a substitute motion, Hall moved that the House write a letter to the Summit Committee urging the Summit Committee to meet and reach a compromise and then write a letter to the Governor.

Keller requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose. The motion failed by the following vote:

Ayes: Fagg, Sverdsten. Total 2.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Cox, Dye, East, Eggebrecht, Ellerd, Falkenstern, Fasnender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Healy, Himsl, Jackson, Johnston, Keller, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, McGrath, Marbut, Marks, Mather, J. Murphy, Nichols, Norman, Patrick, Perry, Nelstead, Prevost, Robbins, Schoonover, Scott, Selstad, Shelden, C. Smith, Snortland, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Zody. Total 75.

Absent or not voting: Lundgren, McKittrick, Parrish. Total 3.

Excused: Campbell, Clemow, Darrow, Devine, Edland, Harper, Hemstad, Hodges, Knudsen, Kolstad, Lee, Lynch, McNamer, Mehrens, Menahan, T. Murphy, Olson, Quilici, E. Smith, Spilde, Weeding, Yardley, Zimmer, Mr. Speaker. Total 24.

Keller closed on his original motion and asked for a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Cox, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Himsl, Keller, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, Marbut, Marks, Mather, J. Murphy, Nichols, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, Snortland, Sverdsten, Swan, Warfield, Whitney, Wolf, Worden. Total 45.

Noes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Healy, Jackson, Kendall, Kosena, Laas, Lien, Lombardi, McGrath, McKittrick, Norman, Prevost, Robbins, Schoonover, Shelden, Staigmillier, Swanberg, Towe, Ulmer, Watt, Zody. Total 33.

Absent or not voting: Parrish. Total 1.

Excused: Campbell, Clemow, Darrow, Devine, Edland, Harper, Hemstad, Hodges, Johnston, Knudsen, Kolstad, Lee, Lynch, McNamer, Mehrens, Menahan, T. Murphy, Olson, Quilici, E. Smith, Spilde, Weeding, Yardley, Zimmer, Mr. Speaker. Total 25.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee:

Extraordinary House Joint Resolution No. 1, introduced by Forester, Aspevig: A Joint Resolution of the Senate and House of Representatives consenting to the renovation of Donaldson Hall at Northern Montana College, Havre, Montana. Referred to Committee on Appropriations.

Extraordinary House Joint Resolution No. 2, introduced by Forester, Aspevig: A Joint Resolution of the Senate and House of Representatives consenting to the renovation of the Armory Gym at Northern Montana College, Havre, Montana. Referred to Committee on Appropriations.

Extraordinary House Joint Resolution No. 3, introduced by Healy, Lee, Lombardi, Mehrens, Quilici, Kosena, Lynch, Aspevig, Johnston, McGrath, Lundgren, Perry, Brand, Giesick, Harper: A Joint Resolution of the Senate and House of Representatives consenting to the construction of a Petroleum and Engineering Science Building at the Montana College of Mineral Science and Technology, Butte, Montana. Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Scott in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary House Bill No. 1 do pass.

That the Committee rise and report.

Report adopted.

SCOTT, Chairman

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and allow Second and Third Reading of Extraordinary House Bill No. 1 this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, was disposed of in the following manner:

Extraordinary House Bill No. 1 was passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Brown, Christiansen, Dye, East, Ellerd, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Gunderson, Haines, Hall, Harrison, Healy, Himsl, Jackson, Keller, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Marbut, Marks, Mather, J. Murphy, Nichols, Norman, Parrish, Patrick, Nelstead, Prevost, Robbins, Schoonover, Scott, Selstad, Shelden, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Worden, Zody. Total 62.

Noes: Aber, Bradley, Brand, Burnett, Cox, Eggebrecht, Fagg, Giesick, Greely, Johnston, Lockrem, Perry, C. Smith, Snortland, Swan, Whitney, Wolf. Total 17.

Absent or not voting: None.

Excused: Campbell, Clemow, Darrow, Devine, Edland, Fasbender, Harper, Hemstad, Hodges, Knudsen, Kolstad, Lee, Lynch, McNamer, Mehrens, Menahan, T. Murphy, Olson, Quilici, E. Smith, Watt, Weeding, Yardley, Zimmer, Mr. Speaker. Total 25.

Harrison moved that the House adjourn until 2:00 p.m., March 11, 1971. Motion carried.

House adjourned.

CONRAD LUNDGREN,
Speaker Pro Tem

ZACK STEVENS, Chief Clerk.

FOURTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 11, 1971

House convened, pursuant to adjournment, at 2:00 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Bradley, Clemow, Ellerd, Harper, Lundgren, McGrath, McNamer, Scott, E. Smith, Yardley, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Third Extraordinary Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

March 11, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: Extraordinary House Bill No. 1.

MARKS, Chairman

HOUSE JOURNAL—EXTRAORDINARY SESSION
FORTY-SECOND LEGISLATIVE ASSEMBLY

MESSAGES FROM THE GOVERNOR

March 11, 1971

Honorable Thomas Judge
President of the Senate
State Capitol
Helena, Montana

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Gentlemen:

In addition to those subjects specified in my Proclamation of March 4, 1971, convening the Forty-second Legislative Assembly in Extraordinary Session, I hereby request that the Forty-second Legislative Assembly, convened in Extraordinary Session, consider and act upon the subject hereinafter specified:

Amendments to House Bill No. 168, an act to provide for a Constitutional Convention.

I have, this date, signed House Bill 168, but I have serious reservations regarding the constitutionality of the measure in light of the Montana Supreme Court cases of Mitchell vs Holmes, 128 Montana 275; James vs Aronson, 132 Montana 120; and the 42nd Legislative Assembly vs. Lennon, 28 State Reporter 125.

I am, therefore, making this request in order to permit the members of the Forty-second Legislative Assembly in Extraordinary Session to examine the provisions of the act and to determine if amendments are necessary.

Sincerely,

FORREST H. ANDERSON
Governor

March 10, 1971

Honorable Frank Murray
Secretary of State
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed the following measures:

House Bills Nos. 79, 160, 205, 239, 351, 401, 438, 487, 490, and Senate Bills Nos. 34, 47, 51, 155, 156, 169, 212, 213, 215, 220, 221, 231 and 274.

Sincerely,

FORREST H. ANDERSON
Governor

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Extraordinary House Joint Resolution No. 4, introduced by Marbut, Haines, Ainsworth. A Joint Resolution of the Senate and House of Repre-

sentatives consenting to the construction of a Fine Arts Center at the University of Montana, Missoula, Montana. Referred to Committee on Long Range Building.

Extraordinary House Joint Resolution No. 5, introduced by Haines, Marbut, Ainsworth. A Joint Resolution of the Senate and House of Representatives consenting to supplement the construction of the renovation of the Health Service Building at the University of Montana, Missoula, Montana. Referred to Committee on Long Range Building.

Extraordinary House Joint Resolution No. 6, introduced by Haines, Marbut, Ainsworth. A Joint Resolution of the Senate and House of Representatives consenting to the construction of a Sports Complex at Fort Missoula, University of Montana, Missoula, Montana. Referred to Committee on Long Range Building.

Harrison moved that the House adjourn until 1:30 p.m., March 12, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

FIFTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 12, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Aber, Anderson, Baeth, Bennett, Brand, Brown, Campbell, Devine, Dye, Edland, Ellerd, Falkenstein, Fitzgarrald, Fleming, Gerke, Gunderson, Harper, Hemstad, Jackson, Keller, Kendall, Kolstad, Kosena, Lanthorn, Lien, Lockrem, Lund, McNamer, Marbut, Marks, Mather, Menahan, Nelstead, Selstad, Shelden, C. Smith, E. Smith, Snortland, Staigmiller, Sverdsten, Swan, Towe, Ulmer, Warfield, Whitney, Wolf, Yardley, Zody, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fourth Extraordinary Legislaive Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 12, 1971

Mr. Speaker:

We, your Committee on Legislative Administration, recommend that Karen Cutler be changed from Steno to Secretary to Majority Leader, effective March 11, 1971.

And further recommend that Virginia Sawyer, Secretary to Majority Leader, be removed from the payroll effective March 13, 1971.

And further recommend that Jean Berberet, Assistant Bills Co-ordinator, be removed from the payroll, effective March 11, 1971.

SPILDE, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Nichols moved that Extraordinary House Joint Resolutions Nos. 1, 2 and 3 be taken from Committee on Appropriations and be re-referred to Committee on Long Range Building. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Extraordinary House Bill No. 3, introduced by Bardanouve, Himsel: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1973; providing for other matters relating to the appropriations; repealing Chapter 238, Laws of 1969, and Sections 1, 4, 5, 6, 7 and 8, Chapter 375, Laws of 1969; and prescribing the method of accounting for expenditure of non-appropriated funds." Referred to Committee on Appropriations.

Extraordinary House Bill No. 4, introduced by Johnston, Schoonover, Hodges: A bill for an act entitled: "An act appropriating moneys from the general fund to the Attorney General's office to be used to enforce prohibitions against a member of the House of Representatives campaigning for Governor or the United States Congress." Referred to Rules Committee.

Extraordinary House Bill No. 5, introduced by Weeding, Zody, Lien, Eggebrecht, Prevost, Lund, Edland: A bill for an act entitled: "An act appropriating moneys to the Department of Planning and Economic Development to provide planning and development services to the Eighteen-County Development Association of Eastern Montana." Referred to Committee on Appropriations.

Extraordinary House Bill No. 6, introduced by Healy, McGrath, Lee, Johnston, Quilici, Lynch, Lombardi, Clemow, Mehrens, Brand, Menahan, Harper, Kosena, Lundgren, Aspevig: A bill for an act entitled: "An act appropriating moneys for the Environmental Engineering Program at the Montana College of Mineral Science and Technology." Referred to Committee on Appropriations.

Extraordinary House Joint Resolution No. 7, introduced by Worden, Ainsworth, Campbell: A Joint Resolution of the Senate and House of Representatives consenting to the construction of a Swimming Pool at the University of Montana, Missoula, Montana. Referred to Committee on Long Range Building.

Extraordinary House Joint Resolution No. 8, introduced by Norman: A Joint Resolution of the Senate and House of Representatives consenting to supplement the construction of the addition and renovation of the Fieldhouse at the University of Montana, Missoula, Montana. Referred to Committee on Long Range Building.

Extraordinary House Joint Resolution No. 9, introduced by Watt: A Joint Resolution of the Senate and House of Representatives consenting to the renovation of the Women's Center at the University of Montana, Missoula, Montana. Referred to Committee on Long Range Building.

Harrison moved that the House adjourn until 10:00 a.m., March 15, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

EIGHTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 15, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by Representative Schoonover and Pledge of Allegiance to the Flag.

On roll call all members were present except Aspevig, Edland, Fleming, Kendall, Marbut, Mather, T. Murphy, Norman, Parrish, Shelden, Sverdsten, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fifth Extraordinary Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 15, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House Attaches be removed from the payroll, effective dates as listed.

SECURITY GUARDS3/12/71
Dennis Clarke
James Dwyer
James Funk
Dennis C. Nebel
Allan O'Leary
George Warn

PAGES
Robin Robbins3/14/71
Tara Brusett3/15/71

CHIEF STENO
Martha Brass3/17/71

And further recommend that Eva K. Seeley be changed from Assistant Chief Steno to Chief Steno and Pat Romine be changed from Steno to Assistant Chief Steno, effective 3/15/71.

SPILDE, Chairman

Report adopted.

MESSAGES FROM THE SENATE

March 12, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three times and concurred in Extraordinary House Bill No. 1, title and history agreed to, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 12, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed Extraordinary Senate Bill No. 1, title and history agreed to, and the bill is herewith transmitted to the House for concurrence.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Giesick moved that Lobbying License No. 32, 125 and 126 be revoked for unprofessional conduct.

The Speaker referred the motion to the Rules Committee.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee:

Extraordinary Session House Bill No. 7, introduced by Quilici, Healy, Lee, Mehrens, Lynch, Lombardi, McGrath, Cox: A bill for an act entitled: "An act appropriating four hundred thousand dollars (\$400,000) to the State Board of Education from the Long-Range Building Program Account, Bond Proceeds and Insurance Clearance Fund, for the construction of additional facilities at the Area Vocational-Technical Center located at Butte, Montana, for the biennium ending June 30, 1973." Referred to Committee on Long Range Building.

Extraordinary Session House Bill No. 8, introduced by Zody, Olson: A bill for an act entitled: "An act appropriating moneys from the 'Long-Range Building Program Account, Bond Proceeds and Insurance Clearance Fund' for a capital project for the Montana Water Resources Board for the biennium ending June 30, 1973; and authorizing the use of federal and private funds available for that purpose." Referred to Committee on Long Range Building.

Harrison moved that the House stand in recess until 1:00 p.m., this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 15, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session House Bill No. 1.

BURNETT, Vice-Chairman

I have examined Extraordinary Session House Bill No. 1, introduced by me, and find the same to be correct.

NICHOLS

The Speaker signed in open session the following bill: Extraordinary Session House Bill No. 1.

March 15, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that John F. Bell Jr., Reading Clerk, be added to the payroll effective March 10, 1971.

SPILDE, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Nichols moved that Extraordinary House Bill No. 3 be taken from Committee on Appropriations and be re-referred to Committee on Long Range Building. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee:

Extraordinary House Resolution No. 1, introduced by Harper, Lanthorn, Lombardi, Bennett, Lynch, Quilici, Lee, Kosena, McGrath, Menahan, Healy: A Resolution of the House of Representatives of the State of Montana asking the Constitutional Convention to study the idea of a Presidential Primary for Montana. Referred to Rules Committee.

Extraordinary Senate Bill No. 1, introduced by Lynch, Manning, Brownfield, Goodheart, Thiessen, Moore, Graham, McGowan, Hafferman, McOmber, Stein, McCallum, Rugg, Siderius, Hanks, Flynn, Moritz, Mackay, Cotton, DeWolfe, Rostad, Bollinger, Hazelbaker, Nees, Shea, Rosell, Keenan, Reardon, Turnage, Vainio, Dzivi, Groff, James, Sorensen: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947; and providing an effective date." Referred to Committee on Reapportionment.

The House stood at ease while the State Welfare personnel explained the Montana Welfare program. Perry Roys, Director of the Department of Planning and Economic Development, also spoke briefly on his department.

Harrison moved that the House adjourn until 9:30 a.m., March 16, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

NINTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 16, 1971

House convened, pursuant to adjournment, at 9:30 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Kolstad, excused.

HOUSE JOURNAL—EXTRAORDINARY SESSION
FORTY-SECOND LEGISLATIVE ASSEMBLY

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Eighth Extraordinary Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 15, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred Extraordinary Session House Bill No. 1, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day at the hour of 1:35 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

March 16, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration Extraordinary Session House Bill No. 8, respectfully report as follows: That Extraordinary Session House Bill No. 8 do not pass.

HIMSL, Chairman

Report adopted.

March 16, 1971

Mr. Speaker: We, your Committee on Long Range Building Program, having had under consideration Extraordinary Session House Bill No. 7, respectfully report as follows: That Extraordinary Session House Bill No. 7 do not pass.

HIMSL, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

March 15, 1971

Honorable James P. Lucas
Speaker of the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I have this day signed Extraordinary Session House Bill No. 1.

Sincerely,

FORREST H. ANDERSON
Governor

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committee.

Extraordinary Session House Bill No. 9, introduced by Himsl, Schoonover, Zimmer, J. Murphy, Olson, Lundgren, Zody, Brown, Ulmer, Lucas, Fleming: A bill for an act entitled: "An act appropriating money from the general fund to the Community College Districts of Montana for their operation and maintenance during the biennium ending June 30, 1973, in

accordance with Section 75-8121, R.C.M., 1947." Referred to Committee on Appropriations.

Extraordinary Session House Bill No. 10, introduced by Patrick: A bill for an act entitled: "An act appropriating moneys from the 'Long Range Building Program Account Bond Proceeds and Insurance Clearance Fund' to acquire land available for future building sites." Referred to Committee on Long Range Building.

The Speaker appointed the following subcommittee to the Summit Committee: Kvaalen, Giesick, Bennett, Gerke, Bardanouve and Healy.

Harrison moved that the House adjourn until 10:00 a.m., March 17, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

TENTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 17, 1971.

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Cox, Fitzgarrauld, Marks, Menahan, J. Murphy, T. Murphy, C. Smith, Swan, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Ninth Extraordinary Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Extraordinary Session House Bill No. 11, introduced by T. Murphy, Marks: A bill for an act entitled: "An act appropriating to the Montana Water Resources Board of the State of Montana the sum of eight hundred thousand dollars (\$800,000) to be loaned to the Meagher County-Newlan Creek Water District at an interest rate of three percent (3%) per annum and pursuant to such terms and conditions as the board shall prescribe." Referred to Committee on Appropriations.

Harrison moved that the House stand in recess until 3:00 p.m., this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

HOUSE JOURNAL—EXTRAORDINARY SESSION FORTY-SECOND LEGISLATIVE ASSEMBLY

REPORTS OF STANDING COMMITTEES

March 17, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Cheryl Denise Schreiner be added to the payroll as Page, effective March 17, 1971.

SPIILDE, Chairman

Report adopted.

March 17, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House Attaches be given one day for employment on March 5, 1971.

Assistant Chief Clerk.....	Lyle Anderson
Sec. to Chief Clerk.....	Sara Ellen Reid
Sec. to Asst. Chief Clerk.....	Roberta K. Pool
Bills Clerk.....	Bernice S. Mitchell
Steno to Bills Clerk.....	Dolores Schulke
Journal Clerk.....	Rosella Wilson
Asst. Journal Clerk.....	Edna Mae Leonard
Journal Typist.....	Marie Nicholai
Reading Clerk.....	John F. Bell, Jr.
Typist.....	Charlotte F. Hoppe
Sec. to Majority Leader.....	Karen Cutler
Assistant Sergeant-at-Arms.....	Jerry Kirtley
	Selmer J. Kolstad
Doorkeeper.....	Samuel H. Fisher
Bills Co-ordinator.....	Madeline Samson
Stenographers.....	Beverly R. Adams
	Catherine Castles
	Marie Hensleigh
	Mary E. Kunnary
	Judy A. Walters
Committee Secretaries.....	Bartley Carson
	Barbara Lester
	Louise Sullivan
Assistant Ch. Multilith Clerk.....	Florence L. Stermitz
Multilith Clerks.....	D. John Blacker
	Robert G. Galland
	Ruth E. Hanson
	Debbra J. Kessner
	Michael J. Kokoruda
	Frances M. Meyer
	Sharon Morgan
	Patricia J. Warfield
Asst. Chief Engrossing.....	Dolores Nan Parriman
Asst. Chief Enrolling.....	Zella P. Neilson
Typists.....	Eleanor E. Bushilla
	Jo Arlene Nelson
	Janice E. Saeman
	Carla J. Teigen
Proofreaders.....	Beryl M. Bielen
	Helen R. Dellwo
	Mary A. Diette
	June C. Easton
	Mercedes G. Hanson
	Jane C. Kufeld
	Hilja S. Moe
Runner.....	Paul R. Jezick

And further recommend that the following named House Attaches be given two days for employment March 5 and March 6, 1971.

Asst. Chief Steno.....	Pat Romine
Stenographers.....	Pat Kirby
	Lavada J. Marquardt
Asst. Chief Mailing Clerk.....	Helen Dragnich
Mailing Clerks.....	Isabel E. Creighton
	Lucille A. Reiner
	Ann Shea

And further recommend that the following named House Attaches be given three days for employment March 5, March 6 and March 7, 1971.

Chief Clerk.....	Zack Stevens
Secretary to Speaker.....	Karen Nyberg
Sec. to Minority Leader.....	Ann D. Jensen
Secretary-Payroll Clerk.....	Virginia Michels
Sergeant-at-Arms.....	Robert S. Hanson
Night Watchmen.....	Daniel R. Erving
	Daniel J. McCarthy
	Cordell Brown
Chief Steno.....	Eva K. Seeley
Chief Multilith Clerk.....	Agnes R. Screnar
Chief Mailing Clerk.....	Orville C. Hanson
Chief Engrossing & Enrolling.....	Elizabeth B. Guffey
Chief Typist.....	Kay M. Rokke
Typist.....	Gail M. Smith
Proofreaders.....	Claudia B. Bunn
	Colleen M. Canty
	Helen C. Wilson

SPILDE, Chairman

Report adopted.

March 17, 1971

Mr. Speaker: We, your Committee on Long-Range Building Program, having had under consideration Extraordinary Session House Bill No. 10, respectfully report as follows: That Extraordinary Session House Bill No. 10 do not pass.

HIMSL, Chairman

Report adopted.

March 16, 1971

Mr. Speaker: We, your Committee on Long-Range Building Program, having had under consideration Extraordinary Session House Bill No. 3, respectfully report as follows: That Extraordinary Session House Bill No. 3 do pass.

HIMSL, Chairman

Report adopted.

March 17, 1971

Mr. Speaker: We, your Committee on Long-Range Building Program, having had under consideration Extraordinary Session House Joint Resolution No. 1, respectfully report as follows: That Extraordinary Session House Joint Resolution No. 1 do pass.

HIMSL, Chairman

Report adopted.

March 17, 1971

Mr. Speaker: We, your Committee on Long-Range Building Program,

having had under consideration Extraordinary Session House Joint Resolution No. 2, respectfully report as follows: That Extraordinary Session House Joint Resolution No. 2 do pass.

Report adopted.

HIMSL, Chairman

March 17, 1971

Mr. Speaker: We, your Committee on Long-Range Building Program, having had under consideration Extraordinary Session House Joint Resolution No. 3, respectfully report as follows: That Extraordinary Session House Joint Resolution No. 3 be amended on page 1, line 23, after the "1947." by adding the following new material: "No part of such funds shall be raised from student fees unless the matter has first been submitted to the students for a vote of the student body and a majority of the students voting favor the proposal."

And as amended, do pass.

HIMSL, Chairman

Report adopted.

March 17, 1971

Mr. Speaker: We, your Committee on Long-Range Building Program, having had under consideration Extraordinary Session House Joint Resolution No. 4, respectfully report as follows: That Extraordinary Session House Joint Resolution No. 4 do not pass.

Report adopted.

HIMSL, Chairman

March 17, 1971

Mr. Speaker: We, your Committee on Long-Range Building Program, having had under consideration Extraordinary Session House Joint Resolution No. 6, respectfully report as follows: That Extraordinary Session House Joint Resolution No. 6 do not pass.

Report adopted.

HIMSL, Chairman

March 17, 1971

Mr. Speaker: We, your Committee on Long-Range Building Program, having had under consideration Extraordinary Session House Joint Resolution No. 7, respectfully report as follows: That Extraordinary Session House Joint Resolution No. 7 be amended on page 1, lines 8 through 10 of the introduced bill by striking the material contained therein in its entirety, and as amended, do pass.

Report adopted.

HIMSL, Chairman

March 17, 1971

Mr. Speaker: We, your Committee on Long-Range Building Program, having had under consideration Extraordinary Session House Joint Resolution No. 8, respectfully report as follows: That Extraordinary Session House Joint Resolution No. 8 be amended on page 1, lines 9 through 11 of the introduced bill, by striking the material contained therein in its entirety, and as amended, do pass.

Report adopted.

HIMSL, Chairman

March 17, 1971

Mr. Speaker: We, your Committee on Long-Range Building Program, having had under consideration Extraordinary Session House Joint Resolution No. 9, respectfully report as follows: That Extraordinary Session

House Joint Resolution No. 9 be amended on page 1, lines 8 through 10 of the introduced bill, by striking the material contained therein in its entirety, and as amended, do pass.

Report adopted.

HIMSL, Chairman

March 17, 1971

Mr. Speaker: We, your Committee on Long-Range Building Program, having had under consideration Extraordinary Session House Joint Resolution No. 5, respectfully report as follows: That Extraordinary Session House Joint Resolution No. 5 be amended on page 1, lines 9 through 11 of the introduced bill, by striking the material contained therein in its entirety, and as amended, do pass.

Report adopted.

HIMSL, Chairman

MOTIONS AND RESOLUTIONS

Harrison moved that the Rules Committee consider amendments to the Joint Rules of the House and Senate in the area of Standing Committees by combining Committees on Affairs of Cities and Townships and Counties, changing the name of the Committee on Highways to Highways and Transportation, and by combining the Committees on Agriculture and Irrigation and Livestock and Ranges. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary House Resolution No. 2, introduced by Edland, Gundersen: A Resolution of the House of Representatives of the State of Montana asking the Montana Congressional Delegation to seek a grant from the Department of Health, Education and Welfare for the establishment of a Six State Mountain-Plains Educational Center on the site of the former Glasgow Air Force Base. Referred to Committee on Education.

Extraordinary Session House Bill No. 12, introduced by Christiansen, Nichols, Harrison, Ulmer, Gerke: A bill for an act entitled: "An act appropriating twenty-seven thousand dollars (\$27,000) to the Department of Administration from the Capitol Building Program Account, Bond Proceeds and Insurance Clearance Fund for the illumination of the Capitol Building." Referred to Committee on Appropriations.

Harrison moved that the House adjourn until 10:00 a.m., March 18, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

ELEVENTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 18, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Fitzgarrald, Staigmiller, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Tenth Extraordinary Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

MOTIONS AND RESOLUTIONS

Haines, having voted on the prevailing side in adopting an adverse committee report on Extraordinary Session House Joint Resolution No. 6, moved that the House reconsider its action. Motion carried.

Marbut, having voted on the prevailing side in adopting an adverse committee report on Extraordinary Session House Joint Resolution No. 4, moved that the House reconsider its action. Motion failed.

Keller moved that a letter be written to the Governor asking that he send up to the House the graph he has showing the income taxes paid by the Legislators, together with a copy of his returns since he has been Governor.

Hall made a substitute motion that the last motion be referred to the Rules Committee. A roll call vote was requested by Hall with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Cox, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Gunderson, Hall, Harper, Healy, Hodges, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mather, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 48.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Johnston, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, J. Murphy, Olson, Patrick, Perry, Nelstead, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden. Total 50.

Absent or not voting: Greely, Jackson, Mehrens, Nichols. Total 4.

Excused: Fitzgarrald, Staigmiller. Total 2.

Hall requested a roll call vote with the Ayes and Nays spread on the Journal on the original motion by Keller. Sufficient seconds arose.

Bardanouve made a substitute motion that the motion of Keller's be amended to require each legislator's income for the same period as the Governor's be revealed along with the Governor's tax return. He asked for a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the substitute motion passed by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Gerke, Glennen, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lom-

bardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Nelstead, Prevost, Quilici, Robbins, Schoonover, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Aber, Aspevig, Dye, Forester, Giesick, Himsl, Keller, Parrish, Patrick, Perry, Scott, Selstad, Sverdsten. Total 13.

Absent or not voting: Bradley, Greely, Mehrens. Total 3.

Excused: Fitzgarrauld, Staigmiller. Total 2.

The original motion by Keller failed to pass by the following vote:

Ayes: Ainsworth, Anderson, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, East, Ellerd, Falkenstern, Forester, Glennen, Haines, Harper, Hemstad, Johnston, Keller, Kolstad, Kvaalen, Lanthorn, Lee, Lockrem, Lockwood, Lund, Lynch, McGrath, Marks, Menahan, J. Murphy, Olson, Nelstead, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden. Total 44.

Noes: Aber, Aspevig, Baeth, Bardanoue, Bradley, Brand, Christiansen, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Fasbender, Fleming, Gerke, Giesick, Greely, Gunderson, Hall, Harrison, Healy, Himsl, Hodges, Jackson, Kendall, Knudsen, Kosena, Laas, Lien, Lombardi, Lundgren, McKittrick, McNamer, Marbut, Mather, T. Murphy, Nichols, Norman, Parrish, Patrick, Perry, Prevost, Quilici, Robbins, Schoonover, Scott, Sheldon, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 58.

Absent or not voting: Mehrens. Total 1.

Excused: Fitzgarrauld. Total 1.

Paired: J. Murphy, aye; Staigmiller, no.

SPECIAL ORDERS

Miss Opp, Miss Montana from Billings, Montana, was presented to the House and spoke briefly.

REPORTS OF STANDING COMMITTEES

March 18, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: Extraordinary Session House Joint Resolutions Nos. 1, 2, 3, 5, 7, 8, 9 and Extraordinary Session House Bill No. 3.

MARKS, Chairman

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Extraordinary House Resolution No. 3, introduced by Bradley, Lundgren, Weeding, Harper, Darrow, Fagg, Scott, Parrish, Norman, Hodges, Gunderson, Swanberg, Aspevig, Laas, Johnston, Zody, Sheldon, Baeth, Quilici, Brand, Towe, Dye, McNamer, Brown, McGrath: A Resolution of the House of Representatives of the State of Montana requesting that the Montana Congressional Delegation oppose the appropriation to fund the Development of the Super Sonic Transport (SST). Referred to Rules Committee.

MOTIONS AND RESOLUTIONS

Harrison moved that the Rules Committee consider altering Joint Rule 2-2 to allow the House of Representatives and Senate to set their own hours of meeting.

Joint Rule 2-3 to prohibit former legislators who are registered lobbyists from being on the floor while legislature is in session.

Joint Rule 2-4 to allow lobbying on the floor of the House of Representatives and Senate at the request of individual members during time to be specified by the Speaker of the House and President of the Senate.

Joint Rule 5-4 to allow a member voting on the prevailing side of a question to move to reconsider the question on the next day the legislature is in session.

Joint Rule 6-26 be changed in order that the history of a bill need not be read when considered by the Committee of the Whole.

Joint Rule 6-29 by deleting subsection 2 "A record vote may not be ordered."

And further consider adding a new Rule relating to the introduction of guests and/or seating on the floor during the session.

Motion carried.

Asbjornson moved that the Rules Committee consider altering Joint Rules of the House and Senate, Chapter 6, Rule 6-11, by adding a new paragraph relating to payment of a money claim against the State of Montana once it has been denied or rejected in a previous session of the legislature.

Motion carried.

Harrison moved that the House stand in recess until 2:00 p.m., this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 18, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Carla Teigen, typist, be removed from the payroll effective March 18, 1971.

And further recommend that Alice J. Merritt be added to the payroll as typist effective March 18, 1971.

KOLSTAD, Vice-Chairman

Report adopted.

March 18, 1971

Mr. Speaker: We, your Committee on Education, having had under consideration Extraordinary House Resolution No. 2, respectfully report as follows: That Extraordinary House Resolution No. 2 be adopted.

WARFIELD, Chairman

Report adopted.

EXTRAORDINARY HOUSE RESOLUTION NO. 2

INTRODUCED BY EDLAND, GUNDERSON.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ASKING THE MONTANA CONGRESSIONAL DELEGATION TO SEEK A GRANT FROM THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE FOR THE ESTABLISHMENT OF A SIX STATE MOUNTAIN-PLAINS EDUCATIONAL CENTER ON THE SITE OF THE FORMER GLASGOW AIR FORCE BASE.

WHEREAS, Montana has for a number of years, been lacking in facilities for vocational technical training; and

WHEREAS, the emphasis in education has been on academic fields rather than vocational-technical training; and

WHEREAS, citizens of Montana, educated in Montana schools and universities, are continually leaving the state for other areas; and

WHEREAS, specific skills and trades are essential today and will become increasingly important in the future; and

WHEREAS, the changing technology requires specialized training and retraining; and

WHEREAS, there exists at the former site of Glasgow Air Force Base, ideal facilities valued at millions of dollars, for use as a regional vocational technical center; and

WHEREAS, the States of North Dakota, South Dakota, Nebraska, Wyoming and Idaho have indicated hearty support for a Mountain-Plains Educational Center on the site of the former Glasgow Air Force Base; and

WHEREAS, the people who attend this educational center would have the opportunity to learn skills which would be utilized in their home areas.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the State of Montana wholeheartedly support the establishment of a Mountain-Plains Educational Center on the site of the former Glasgow Air Force Base.

BE IT FURTHER RESOLVED, that all members of the Montana Congressional Delegation be urged to work for a grant from the Department of Health, Education and Welfare to establish the Mountain-Plains Educational Center.

BE IT FURTHER RESOLVED, that copies of this resolution be sent by the secretary of state of Montana to members of the Montana Congressional Delegation, to the Governor of Montana and the Governors of the States of North Dakota, South Dakota, Nebraska, Wyoming and Idaho, and to the secretary of the Department of Health, Education and Welfare, the superintendent of public instruction, and to the members of the board of regents.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Extraordinary Session House Bill No. 13, introduced by J. Murphy: A bill for an act entitled: "An act to amend Chapter 296, Session Laws of Montana, 1971, relating to calling the Constitutional Convention by changing the date of the special primary election; and providing for an

immediate effective date." Referred to Committee on Constitutional Convention.

Extraordinary Session House Bill No. 14, introduced by J. Murphy: A bill for an act entitled: "An act to amend Chapter 296, Laws of Montana, 1971, relating to calling a constitutional convention; by amending provisions for schedule of legislation; deleting mention of state officers; amending provisions for appointing members and filling vacancies on Constitutional Convention Commission; restating the function of said commission; deleting provisions permitting the Commission to accept and expend private funds; repealing subsections (3), (11), of Section 20, Chapter 296, Session Laws of 1971; and providing an immediate effective date." Referred to Committee on Constitutional Convention.

Extraordinary Session House Bill No. 15, introduced by Haines, Nichols: A bill for an act entitled: "An act to appropriate moneys for payment of Employers Contribution to the Public Employees Retirement System for the services of members of the Legislative Assembly; providing an effective date." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE) X

Dye moved that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading. Motion carried.

Fasbender in the Chair. Committee arose.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 3 be amended in Section 7, page 3, line 11, of the printed bill by striking the following words "Board of Institutions" and inserting in lieu thereof the following words: "Legislative Council",

And further amend in Section 10, page 7, line 20 of the introduced bill, after the word "Institutions" by inserting the following new material:

" , and in this event, \$800,000 may be approved by the board of examiners to begin Phase II of the library at the University of Montana, Missoula"

And further amend Section 12, page 14, after line 29 of the printed bill by inserting the following material: "Construct swimming pool 350,000"

And as amended, do pass.

That Extraordinary Session House Joint Resolution No. 1 do pass.

That Extraordinary Session House Joint Resolution No. 2 do pass.

That Extraordinary Session House Joint Resolution No. 3 do pass.

That Extraordinary Session House Joint Resolution No. 5 do pass.

That Extraordinary Session House Joint Resolution No. 7 do pass.

That Extraordinary Session House Joint Resolution No. 8 do pass.

That Extraordinary Session House Joint Resolution No. 9 do pass.

That the Committee rise and report.

FASBENDER, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 17, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration a motion to revoke lobbying licenses No. 32, 125 and 126 report as follows: That the action requested is outside the scope of the rules of the legislature and further that the legislature is unable to grant the relief requested.

HARRISON, Chairman

Report adopted.

March 17, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Extraordinary House Bill No. 4, respectfully report as follows: The Rules Committee hereby finds that the contents of Extraordinary House Bill No. 4 exceeds the scope of the call and, therefore, may not be considered by this body.

HARRISON, Chairman

Report adopted.

March 17, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Extraordinary House Resolution No. 1, respectfully report as follows: The Rules Committee hereby finds that the contents of Extraordinary House Resolution No. 1 exceeds the scope of the call and, therefore, may not be considered by this body.

HARRISON, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

March 18, 1971

Honorable Thomas L. Judge
President of the Senate
State Capitol
Helena, Montana

Honorable James P. Lucas
Speaker for the House
House of Representatives
Helena, Montana

Gentlemen:

In addition to those subjects specified in my Proclamation of March 4, 1971, convening the Forty-second Legislative Assembly in Extraordinary Session, I hereby request that the Forty-second Legislative Assembly, convened in Extraordinary Session consider and act upon the subject hereinafter specified:

Measures to provide revenue.

Sincerely,

FORREST H. ANDERSON
Governor

Harrison moved that the House adjourn until 10:00 a.m., March 19, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENIS, Chief Clerk.

HOUSE JOURNAL—EXTRAORDINARY SESSION
FORTY-SECOND LEGISLATIVE ASSEMBLY

TWELFTH EXTRAORDINARY LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 19, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Snortland, Sverdsten, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the eleventh extraordinary legislative day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 19, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Extraordinary Session House Bill No. 3, Extraordinary House Joint Resolutions Nos. 1, 2, 3, 5, 7, 8, 9.

MARKS, Chairman

March 17, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Extraordinary House Resolution No. 3, respectfully report as follows: That the contents of Extraordinary House Resolution No. 3 exceeds the scope of the call and, therefore, may not be considered by this body.

HARRISON, Chairman

Harrison moved for the adoption of the committee report.

As a substitute motion, Bradley moved that the committee report be not adopted and that Extraordinary House Resolution No. 3 be printed and placed on Second Reading. She requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The Speaker ruled that the substitute motion was out of order.

Hall, as a substitute motion, moved that this matter be referred to the Rules Committee for determination. Motion failed.

Hall requested a roll call vote on the adoption of the Rules Committee report, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Bennett, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, East, Edlund, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Glennen, Haines, Harper, Harrison, Healy, Hemstad, Mims, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, McGrath, McNamer, Marks, Mather, Murphy, J. E., Nichols, Olson, Patrick, Perry, Nelstead, Selstad, Smith, C. M., Smith, E. B., Spilde, Swan, Swanberg, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 59.

Noes: Aspevig, Baeth, Bardanouve, Bradley, Brand, Devine, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Hodges, Kendall, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, T. L., Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Staigmiller, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 40.

Absent or not voting: Brown, Giesick, Lundgren. Total 3.

Excused: Snortland, Sverdsten. Total 2.

March 19, 1971

Mr. Speaker: We, your Committee on Constitutional Convention, having had under consideration Extraordinary House Bill No. 13, respectfully report as follows: That Extraordinary House Bill No. 13 do pass.

J. MURPHY, Chairman

Report adopted.

March 19, 1971

Mr. Speaker: We, your Committee on Constitutional Convention, having had under consideration Extraordinary House Bill No. 14, respectfully report as follows: That Extraordinary House Bill No. 14 do pass.

J. MURPHY, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and allow Extraordinary House Bill No. 3, and Extraordinary House Joint Resolutions Nos. 1, 2, 3, 5, 7, 8, 9, 6 to be placed on Third Reading without the one day waiting period between reading the Engrossing report and Third Reading. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary Session House Bill No. 16, introduced by Mather, Snortland, Lockwood, Whitney, Ellerd, Lundgren, Dye, Ulmer, Nelstead, Lockrem, Warfield, Glennen, Worden, Haines, Campbell, Sverdsten, Wolf, Darrow, Scott, Brown, Patrick, Forester, Cox, Fagg, Clemow, Giesick, J. Murphy, Harrison, Keller, Lucas, Swan, Kolstad, Aber, Selstad, Hempstad, Asbjornson, Marbut, Lund, Himsel, Spilde, McNamer, Lanthorn, Kvaalen, Burnett, Olson, Marks, Ainsworth, East, C. Smith, Falkenstern, Bennett, Nichols, Fitzgarrald. A bill for an act entitled: "The Montana Retail Sales and Use Tax Act; levying sales and use taxes to support the state government and educational programs; providing for the administration thereof, and for penalties in case of violation of its provisions." Referred to Committee on Ways and Means.

Extraordinary House Bill No. 17, introduced by Bardanouve, Nichols. A bill for an act entitled: "An Act Appropriating Money for the Operation of the Extraordinary Session of the Forty-Second Legislative Assembly; Specifying an immediate Effective Date." Referred to Appropriations Committee.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Committee arose. Bennett in the Chair.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Joint Resolution No. 6 be amended in lines 8 through 10 by striking all of the material contained therein in its entirety, and, as amended, do pass.

That the Committee rise and report.

BENNETT, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Extraordinary House Bill No. 3 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Mather, Mehrens, Menahan, Murphy, J. E., Nichols, Norman, Olson, Parrish, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Sheldon, Smith, C. M., Spilde, Staigmillar, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 84.

Noes: Ainsworth, Brand, Campbell, Eggebrecht, Haines, Hempstad, Keller, Marbut, Marks, Murphy, T. L., Patrick, Prevost, Selstad, Smith, E. B., Swan, Ulmer, Wolf, Worden. Total 18.

Absent or not voting: None.

Excused: Snortland, Sverdsten. Total 2.

Extraordinary House Joint Resolution No. 1 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Murphy, J. E., Nichols, Olson, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Sheldon, Smith, C. M., Smith, E. B., Spilde, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Brand, Hemstad, Mehrens, Menahan, Murphy, T. L., Norman, Parrish, Staigmillar, Ulmer, Wolf. Total 10.

Absent or not voting: Patrick.

Excused: Snortland, Sverdsten. Total 2.

Extraordinary House Joint Resolution No. 2 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Murphy, J. E., Murphy, T. L., Nichols, Olson, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, C. M., Smith, E. B., Spilde, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: Brand, Hemstad, Hodges, Menahan, Norman, Parrish, Prevost, Staigmiller, Ulmer, Wolf. Total 10.

Absent or not voting: Patrick. Total 17

Excused: Snortland, Sverdsten. Total 2.

Extraordinary House Joint Resolution No. 3 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kalstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, Murphy, J. E., Murphy, T. L., Nichols, Olson, Perry, Nelstead, Quilici, Robbins, Schoonover, Selstad, Shelden, Smith, C. M., Smith, E. B., Swanberg, Towe, Warfield, Watt, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 85.

Noes: Brown, Edland, Ellerd, Hemstad, Mather, Norman, Parrish, Prevost, Scott, Spilde, Staigmiller, Swan, Ulmer, Weeding, Wolf. Total 15.

Absent or not voting: Brand, Patrick. Total 2.

Excused: Snortland, Sverdsten. Total 2.

Extraordinary House Joint Resolution No. 5 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, Murphy, J. E., Nichols, Norman, Olson, Parrish, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, C. M., Smith, E. B., Spilde, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 89.

Noes: Brand, Clemow, Eggebrecht, Hemstad, Johnston, Lien, Marks, Murphy, T. L., Prevost, Staigmiller, Ulmer, Wolf. Total 12.

Absent or not voting: Patrick. Total 1.

Excused: Snortland, Sverdsten. Total 2.

Extraordinary House Joint Resolution No. 7 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, Edland, Ellerd, Fagg, Falkenstern, Fاسبender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harrison, Healy, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Murphy, J. E., Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Swanberg, Towe, Warfield, Watt, Whitney, Worden, Zody, Mr. Speaker. Total 70.

Noes: Bardanouve, Brand, Clemow, East, Eggebrecht, Giesick, Harper, Hemstad, Johnston, Kosena, Lien, Lockrem, McNamer, Marks, Menahan, Murphy, T. L., Nichols, Norman, Scott, Shelden, Smith, C. M., Smith, E. B., Spilde, Staigmliller, Swan, Ulmer, Weeding, Wolf, Zimmer. Total 29.

Absent or not voting: Fitzgarrald, Patrick, Yardley. Total 3.

Excused: Snortland, Sverdsten. Total 2.

Extraordinary House Joint Resolution No. 8 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, Murphy, J. E., Nichols, Norman, Olson, Parrish, Nelstead, Quilici, Robbins, Schoonover, Selstad, Shelden, Spilde, Swan, Swanberg, Warfield, Watt, Weeding, Whitney, Worden, Zimmer, Zody, Mr. Speaker. Total 77.

Noes: Bardanouve, Brand, Brown, East, Eggebrecht, Gerke, Giesick, Gunderson, Hemstad, Johnston, Kvaalen, Lockrem, Marks, Murphy, T. L., Perry, Prevost, Scott, Smith, C. M., Smith, E. B., Staigmliller, Towe, Ulmer, Wolf, Yardley. Total 24.

Absent or not voting: Patrick. Total 1.

Excused: Snortland, Sverdsten. Total 2.

Extraordinary House Joint Resolution No. 9 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Ellerd, Fagg, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, Murphy, J. E., Murphy, T. L., Nichols, Norman, Olson, Parrish, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, E. B., Spilde, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 88.

Noes: Brand, Eggebrecht, Hemstad, Marks, Mather, Perry, Prevost, Smith, C. M., Staigmliller, Ulmer, Wolf. Total 11.

Absent or not voting: Bardanouve, Patrick, Zimmer. Total 3.

Excused: Snortland, Sverdsten. Total 2.

Extraordinary House Joint Resolution No. 6 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, Edland, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Haines, Hall, Harrison, Healy, Hodges, Jackson, Keller, Kendall, Knudsen, Kalstad, Laas, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, Marbut, Mather, Murphy, J. E., Nichols, Olson, Nelstead, Quilici, Robbins, Schoonover, Selstad, Shelden, Smith, E. B., Swanberg, Towe, Warfield, Watt, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 66.

Noes: Bardanouve, Brand, Clemow, East, Eggebrecht, Falkenstern, Giesick, Gunderson, Harper, Hemstad, Himsl, Johnston, Kosena, Kvaalen, Lien, Lockrem, Lynch, McNamer, Marks, Mehrens, Menahan, Murphy, T. L., Norman, Parrish, Perry, Prevost, Scott, Smith, C. M., Spilde, Staigmiller, Swan, Ulmer, Weeding, Whitney, Wolf. Total 35.

Absent or not voting: Patrick. Total 1.

Excused: Snortland, Sverdsten. Total 2.

Harrison moved that the House recess until 3:00 p.m., this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 19, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: Extraordinary House Bills Nos. 13, 14.

MARKS, Chairman

March 19, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: Extraordinary House Joint Resolution No. 6.

MARKS, Chairman

March 19, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary House Bill No. 17, respectfully report as follows: That Extraordinary House Bill No. 17 be amended on page 1, section 1, line 11, after the word "hundred" by inserting the word "fifty" and after the word "dollars" by striking the material "(\$100,000)" and inserting in lieu thereof the material "(\$150,000)".

And as amended, do pass.

NICHOLS, Chairman

Report adopted.

March 18, 1971

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration Extraordinary Senate Bill No. 1, respectfully report as follows: That Extraordinary Senate Bill No. 1 be amended.

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Fagg moved the House suspend its rules and consider the amendments read at length. Motion carried.

Be amended in the title of the Original Bill, page 1, line 9 after the figures 43-105.1 by deleting the following word and figure "[and 43-106.2]"

And be further amended on page 3, line 26, Section 4 of the Original Bill by striking Section 4 in its entirety.

And be further amended on page 5, line 17, Section 5 after the figures "43-106.1" by striking the following word and figure "[and 43-106.2]"

(Material in brackets denotes canceled type.)

And as amended, be concurred in.

FAGG, Chairman

Report adopted.

March 19, 1971

Mr. Speaker: We, the majority of your Committee on Ways and Means, having had under consideration Extraordinary House Bill No. 16, respectfully report as follows: That Extraordinary House Bill No. 16 be amended in the title of the original and introduced bill on page 2, line 3 following the word "GOVERNMENT" by deleting the following words: "[And Educational Programs]",

(Material in brackets denotes canceled type.)

And as amended, do pass.

ULMER, Chairman
GIESICK
FALKENSTERN
KELLER
KOLSTAD
LOCKWOOD
LUNDGREN
WORDEN

March 19, 1971

Mr. Speaker We, the minority of your Committee on Ways and Means, having had under consideration Extraordinary House Bill No. 16, respectfully report as follows: That Extraordinary House Bill No. 16 be amended in the title of the original and introduced bill on page 2, line 3 following the word "Government" by deleting the following words "[And Educational Programs]",

(Material in brackets denotes canceled type.)

And as amended, do not pass.

FASBENDER
HEALY
T. MURPHY
NORMAN
SWANBERG
WATT
YARDLEY

Ulmer moved for the adoption of the majority committee report.

As a substitute motion Fasbender moved for the adoption of the minority committee report.

Hall requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The minority report failed to carry by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, Murphy, T. L., Norman, Parrish, Perry, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 50.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, Murphy, J. S., Nichols, Olson, Patrick, Nelstead, Scott, Selstad, Smith, C. M., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 53.

Absent or not voting: Smith, E. B. Total 1.

Excused: None.

Paired: Greely, Aye; Sverdsten, No; Devine, Aye; Haines, No.

Ulmer requested a roll call vote on the majority committee report with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The majority report carried by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, Murphy, J. E., Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, Smith, C. M., Smith, E. B., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Noes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, Murphy, T. L., Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Stagmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 49.

Absent or not voting: None

Excused: None.

Paired: Sverdsten, Aye; Greely, No; Haines, Aye; Devine, No.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary House Bill No. 18, introduced by Schoonover, Christiansen, McGrath, Menahan, Bardanouve, Fasbender, Gerke, Hall, Fleming, Lynch, Knudsen, Kendall, Murphy, J., Swanberg, Hodges, Harper, Devine, Lee, Greely, Lombardi, Gunderson, Staigmiller, McKittrick, Robbins, Weeding, Quilici, Zody, Shelden, Mehrens, Kosena, Baeth, Eggebrecht, Towe, Yardley, Edland, Parrish, Laas, Prevost, Bradley, Zimmer, Anderson, Lien, Norman, Johnston, Jackson, Healy. A bill for an act entitled: "An Act to Appropriate Money for the Support of the Public Schools; Appropriating Money for the Foundation Program for the Biennium Ending June 30, 1973." Referred to Committee on Appropriations.

Extraordinary Session House Bill 19, introduced by Kvaalen, Himsl. A bill for an act entitled: "An Act to Appropriate Monies to Certain State Institutions and Agencies for the Biennium Ending June 30, 1973." Referred to Committee on Appropriations.

Extraordinary House Bill No. 20, introduced by Reapportionment Committee. A bill for an act entitled: "An Act to Apportion the Legislative Assembly According to the 1970 Federal Census; and Repealing Section 43-106.2, R.C.M., 1947; and Providing an Effective Date." Referred to Reapportionment Committee.

Extraordinary House Bill No. 21, introduced by Marbut. A bill for an act entitled: "An Act Providing a Tax on No-Deposit and No-Return Containers of Beer and Soft Drinks and Providing for Distribution of the Tax." Referred to Committee on Ways and Means.

Extraordinary House Bill No. 22, introduced by Gunderson, Fagg. A bill for an act entitled: "An Act to Amend Section 23-3101, R.C.M., 1947, Relating to the Establishment of Precinct Boundaries, Change of Precinct Boundaries and Providing Maps of Precinct Boundaries for Reapportionment Purposes; Providing an Effective Date." Referred to Committee on Rules and Journal.

MESSAGES FROM THE GOVERNOR

March 19, 1971

Honorable Thomas L. Judge
President of the Senate
State Capitol, Helena Montana

Honorable James P. Lucas
Speaker for the House
State Capitol
Helena, Montana

Gentlemen:

In view of the fact that introduction of Extraordinary Senate Bills Numbers 2, 3, and 4, and the provision for repeal of House Bill Number 168 of the regular Session may have gone beyond the scope of my message of March 11, 1971, requesting the Legislative Assembly in Extraordinary Session to consider the subject "Amendments to House Bill No. 168, An Act to Provide for a Constitutional Convention," I hereby request in addition to those subjects specified in my Proclamation of March 4, 1971, convening the Forty-second Legislative Assembly in Extraordinary Session, that the Forty-second Legislative Assembly, convened in Extraordinary Session consider and act upon the subject hereinafter specified:

Providing for a Constitutional Convention.

Sincerely,

FORREST H. ANDERSON
Governor

Harrison moved that the House adjourn until 10:00 a.m., March 20, 1971.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

THIRTEENTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 20, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Sverdsten, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Twelfth Extraordinary Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 20, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: Extraordinary Session House Bills Nos. 16, 17.

MARKS, Chairman

March 19, 1971

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration Extraordinary House Bill No. 20, respectfully report as follows: That Extraordinary House Bill No. 20 do pass.

FAGG, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary House Resolution No. 4, introduced by Harper, Lynch, Lombardi, Healy, Mehrens, Lee, Knudsen, Quilici, Kosena, Menahan, Clemow, Whitney, Devine: A Resolution of the House of Representatives of the State of Montana requesting that the Constitutional Convention consider a provision to legalize gambling. Referred to Committee on Ways and Means.

Extraordinary Session House Bill No. 23, introduced by Laas, Kvaalen, Aspevig, Eggebrecht, Edland, Zody, Weeding, Kolstad, Prevost: A bill for an act entitled: "An act appropriating monies from the general fund to the Montana Water Resources Board for the biennium ending June 30, 1973, to conduct feasibility studies and preliminary surveys of certain water conservancy districts." Referred to Committee on Appropriations.

Extraordinary Session House Bill No. 24, introduced by Patrick, Lund: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations." Referred to Committee on Appropriations.

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REPORTS OF STANDING COMMITTEES

March 20, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary House Bill No. 15, respectfully report as follows: That Extraordinary House Bill No. 15 do pass.

NICHOLS, Chairman

Report adopted.

March 20, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary House Bill No. 19, respectfully report as follows: That Extraordinary House Bill No. 19 be amended.

Nichols moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended on page 5 by striking all of Section 13 and inserting in lieu thereof a new Section 13 containing the following material: "Minimum salaries of employees in the Department of Institutions, with the exception of the board of pardons, shall be determined by the "Compensation and Classification Plan" of the Department of Institutions dated March 10, 1971 and on file with the budget division of the department of administration. The amount of salary increases shall correlate to said schedule and in no case shall exceed the percentage differences between the established minimum for the classification in fiscal year 1970 and that minimum established by the aforementioned "Compensation and Classification Plan" dated March 10, 1971, except that, within the limits of the appropriation for personal services, each employee, after evaluation, may be entitled to a minimum of a one-step increase each year of the biennium."

And as amended, do pass.

NICHOLS, Chairman

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Committee arose. Cox in the Chair.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 13 do pass.

That Extraordinary House Bill No. 14 be amended in Section 3, line 18, page 3, by inserting after the word "vacancy" the following words: "among members appointed by the Speaker of the House and the Committee of Committees of the Senate."

And further amend said bill in line 19, page 3 by striking the words "of the legislature"

And as amended, do pass.

That Extraordinary Session Senate Bill No. 1 be amended in the title on line 9, after the figure "43-106.1" by inserting the following material: "and 43-106.2", and

Further amend Extraordinary Senate Bill No. 1, section 1, page 2,

line 27 by deleting the figure "[1]" and inserting in lieu thereof the figure "2", and

Further amend Extraordinary Senate Bill No. 1, section 1, page 2, line 27, after the word "Lincoln" by inserting the following material: " , Sanders, & Mineral", and

Further amend Extraordinary Senate Bill No. 1, section 1, page 2, line 28, by striking the line in its entirety, and further amend Extraordinary Senate Bill No. 1, after the material "act." on line 26 by inserting the following new section:

Section 4. Number of representatives—representative districts and apportionment. The House of Representatives of the legislative assembly shall consist of one hundred four (104) members. The representatives elected from each district are as follows:

Representative District No.	Number of Representatives	District Consists of County or Counties
1	2	Carter, Fallon, Wibaux, Powder River
2	2	Dawson
3	2	Richland, McCone,
4	2	Roosevelt
5A	1	Sherdian
5B	2	Valley, Daniels
Representative District No.	Number of Representatives	District Consists of County or Counties
6	2	Treasure, Rosebud, Garfield, Prairie
7	2	Custer
8	2	Big Horn
9	12	Yellowstone
10A	1	Phillips
10B	1	Blaine
11A	2	Fergus, Judith Basin, Petroleum
11B	1	Chouteau
12	2	Musselshell, Golden Valley, Wheatland, Sweetgrass
13	2	Carbon, Stillwater
14	2	Park
15	5	Gallatin
16	2	Jefferson, Broadwater, Meagher
17	11	Cascade
18A	3	Hill, Liberty
18B	1	Toole
19A	1	Pondera
19B	1	Teton
20	5	Lewis and Clark
21A	1	Powell
21B	3	Granite, Deer Lodge
22	6	Silver Bow
23A	1	Madison
23B	1	Beaverhead
24	2	Ravalli
25	8	Missoula
26	2	Lake
27	2	Glacier
28	5	Flathead
29	4	Lincoln, Sanders, Mineral

Further amend Extraordinary Senate Bill No. 1, Section 5, page 5, line 18 after the word "and" by inserting the following figures "43-106.2".

And as amended, be passed for the day.

That Extraordinary Session House Bill No. 16 do pass.

That Extraordinary Session House Bill No. 17 do pass.

That the Committee rise and report.

COX, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 20, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: Extraordinary Session House Bills Nos. 15, 20.

MARKS, Chairman

MESSAGES FROM THE SENATE

March 20, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence.

Extraordinary Session Senate Bill No. 5, introduced by Turnage.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and assigned to committees:

Extraordinary Session House Bill No. 25, introduced by Marbut, Ulmer, J. Murphy, Lanthorn, Himsl, McNamer, Lucas, Lund, Giesick, Bennett, Cox, Clemow, Ellerd, Patrick, Brown, Mather, Lockrem, East, Falkenstern, Lundgren, Dye, Harrison, Scott, Nelstead, Glennen, Forester, Darrow, Fitzgerald, Nichols, C. Smith, Olson, Asbjornson, Haines, Worden, Campbell, Whitney, Fagg, Wolf, Keller, Aber, Warfield, Marks, Hemstad, Selstad, Burnett, Kvaalen, Swan, Spilde, Lockwood, Ainsworth, Aspevig, Laas, Snortland, Kolstad, E. Smith, Perry. A bill for an act entitled: "An Act to Appropriate Money from the State General Fund to the State Treasurer for the Reimbursement of Counties for Payment of Homeowner Grants and Providing for Other Matters Relating to the Appropriation." Referred to Committee on Rules and Journal.

Extraordinary House Resolution No. 5, introduced by Reapportionment Committee, Fagg, Lundgren, Campbell, Gunderson, Kosena, Aber, Zody, Ellerd, Robbins. A Resolution of The House of Representatives recognizing the time and effort put forth by Professor Robert Taylor in assisting the House Reapportionment Committee. Referred to Committee on Reapportionment.

Extraordinary Session Senate Bill No. 5, introduced by Turnage. A bill for an act entitled: "An Act Prescribing Uniform Procedures for State Administrative Agencies, Including: Requirement for Adoption of Procedural Rules; Procedures for Adoption, Amendment or Repeal of Rules, Including Emergency Rules; Filing and Publication of Rules; Judicial No-

tice of Rules; Notice and Hearing Requirements for Contested Cases; Procedures for Contested Case Hearings; Procedures for Decision Making in Contested Cases; Judicial Review of Contested Case Decisions; Declaratory Rulings by Agencies; Declaratory Judgments by Courts Regarding the Validity and Application of Agency Rules; Subpoenas, Subpoena Enforcement and Compelling Testimony for Agency Proceedings; and Right to Representation in Agency Proceedings; to Provide an Effective Date." Referred to Committee on Judiciary.

MOTIONS AND RESOLUTIONS

Harrison moved that the House adjourn until 1:00 p.m., March 21, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FOURTEENTH EXTRAORDINARY LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 21, 1971

House resumed, pursuant to adjournment, at 1:00 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Fitzgarrald, Jackson, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the thirteenth extraordinary legislative day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 20, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: Extraordinary Session House Bill No. 19.

BURNETT, Vice-Chairman

March 20, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Extraordinary Session House Bills Nos. 13, 14, 17, 16.

BURNETT, Vice-Chairman

March 21, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session House Bill No. 24, respectfully report as follows: That Extraordinary Session House Bill No. 24 be amend-

ed on page 7, Section 11, after line 7, by inserting the following new material:

	“Investment Program	
From the general fund	75,450	45,950”

And as amended, do pass.

NICHOLS, Chairman

Report adopted.

March 21, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Extraordinary Session House Bill No. 22, respectfully report as follows: The Rules Committee hereby finds that the contents of Extraordinary House Bill No. 22 is not within the scope of the Governor's call.

HARRISON, Chairman

Harrison moved that the Committee report be adopted.

As a substitute motion, Towe moved that Extraordinary Session House Bill No. 22 be held as properly introduced and referred to proper committee. Motion failed.

Thereupon, the Rules committee report was adopted.

March 21, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Extraordinary Session House Bill No. 25, respectfully report as follows: We, the majority of the Rules Committee, hereby finds that the contents of Extraordinary Session House Bill No. 25 is within the scope of the Governor's call.

HARRISON, Chairman

LUCAS

MATHER

Harrison moved for adoption of the committee report.

As a substitute motion, Fasbender moved that the Majority report be not adopted. A roll call vote was requested with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the substitute motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, Murphy, T. L., Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 47.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, Murphy, J. E., Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, Smith, C. M., Smith, E. B., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 57.

Absent or not voting: None

Excused: None

Paired: Fitzgarrald, no; Jackson, aye.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and allow consideration of Extraordinary Session House Bills Nos. 13, 14, 16, and 17 on Third Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Extraordinary Session House Bill No. 26, introduced by Haines. A bill for an act entitled: "An Act to Appropriate Moneys to Various State Agencies for the Biennium Ending June 30, 1973; and Providing for Other Matters Relating to the Appropriations." Referred to Committee on Appropriations.

Extraordinary Session House Bill No. 27, introduced by Dye, Glennen. A bill for an act entitled: "An Act to Appropriate Moneys to Various State Agencies for the Biennium Ending June 30, 1973; and Providing for Other Matters Relating to the Appropriations." Referred to Committee on Appropriations.

Extraordinary Session House Bill No. 28, introduced by Asbjornson, Spilde, Aspevig. A bill for an act entitled: "An Act to Appropriate Monies to the Units of the Montana University System, the Agricultural Experiment Station, the Cooperative Extension Service, the Western Interstate Commission for Higher Education, the Office of the Executive Secretary of the Montana University System and the School for the Deaf and Blind, State Superintendent of Public Instruction, Including the funding of the Foundation Program, the Board of Education, and Vocational Education, the State Advisory Council for Vocational Education, for Personal Services, Operation, and Capital Expenditures for the Biennium Ending June 30, 1973." Referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

March 21, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session House Bill No. 26, respectfully report as follows: That Extraordinary Session House Bill No. 26 be amended on page 5, Section 13, line 6, by striking the figures "\$82,000 and \$69,000" and inserting in lieu thereof the figures "\$87,000 and \$74,000"

And as amended, do pass.

NICHOLS, Chairman

Report adopted.

March 21, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session House Bill No. 27, respectfully report as follows: That Extraordinary Session House Bill No. 27 be amended on page 16, section 11, by striking lines 21 and 22.

And as amended, do pass.

NICHOLS, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Extraordinary Session House Bill No. 13 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve,

Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, Murphy, J. E., Murphy, T. L., Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, E. B., Snortland, Spilde, Staigmillers, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 99.

Noes: Anderson, Smith, C. M., Zimmer. Total 3.

Absent or not voting: None.

Excused: Fitzgarrald, Jackson. Total 2.

Extraordinary Session House Bill No. 14 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, Murphy, J. E., Murphy, T. L., Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, E. B., Snortland, Spilde, Staigmillers, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 98.

Noes: Anderson, Marks, Smith, C. M., Zimmer. Total 4.

Absent or not voting: None.

Excused: Fitzgarrald, Jackson. Total 2.

Extraordinary Session House Bill No. 16 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, Murphy, J. E., Nichols, Olson, Patrick, Nelstead, Scott, Selstad, Smith, C. M., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 54.

Noes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, Murphy, T. L., Norman, Parrish, Perry, Prevost, Quilici, Robbins, Schoonover, Shelden, Smith, E. B., Staigmillers, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 50.

Absent or not voting: None.

Excused: None.

Paired: Fitzgarrald, aye; Jackson, no.

Ulmer moved that Extraordinary Session House Bill No. 17 be amended by inserting a new Section 2, line 15, page 1, as follows:

"Section 2. No elected official may receive any reimbursement from this appropriation."

And further amend by making the present "Section 2" — Section 3.

Giesick moved the previous question. Motion carried.

Ulmer's motion to amend failed to pass.

Extraordinary Session House Bill No. 17 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brown, Campbell, Christiansen, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, Murphy, J. E., Murphy, T. L., Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Spilde, Staigmiller, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody. Total 74.

Noes: Asbjornson, Bennett, Burnett, Clemow, Cox, Darrow, Fagg, Giesick, Hemstad, Keller, Kolstad, Lockrem, Lundgren, McNamer, Marks, Mather, Perry, Selstad, Smith, C. M., Smith E. B., Snortland, Sverdsten, Swan, Ulmer, Wolf, Mr. Speaker. Total 26.

Absent or not voting: Brand, Zimmer. Total 2.

Excused: Fitzgarrauld, Jackson. Total 2.

The Speaker assigned Extraordinary House Bill No. 25 to the Appropriations Committee.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Ulmer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session Senate Bill No. 1 be amended in the title on line 9, after the figure "43-106.1" by inserting the following material: "And 43-106.2",

And further amend Section 1, page 1, line 16, following the words "consist of" by omitting the words and figures "fifty-five (55)" and by inserting in lieu thereof the words and figures "fifty-six (56)",

Further amend Section 1, page 2, line 18, following the words and punctuation "Deer Lodge," by omitting the word and punctuation "Powell,"

Further amend Section 1, page 2, line 19, by amending the line to read as follows:

"22 1 Granite, Powell"

Further amend Section 1, page 2, lines 20 through 28, by renumbering

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the present senatorial districts numbers 22 through 30 to be numbers 23 through 31.

Further amend by amending Kvaalen's amendment to Section 4 by the following:

Yellowstone County	13
Cascade County	12
Missoula	9
Flathead County	6
Deer Lodge, Powell and Granite Counties	4

And further amend Section 5, page 5, line 18, after the word "and" by inserting the following figures "43-106.2",

And further amend lines 28 and 29, Section 4, by deleting the figures "104" and inserting in lieu thereof the figures "109"

And as amended, be not concurred in.

That Extraordinary Session House Bill No. 15 do pass.

That Extraordinary Session House Bill No. 20 be passed for the day.

That Extraordinary Session House Bill No. 19 do pass.

That the Committee rise and report.

ULMER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Giesick moved that Extraordinary Session House Bill No. 20 be referred to Committee on Reapportionment. Motion carried.

Harrison moved that the House adjourn until 11:00 a.m., March 22, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FIFTEENTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 22, 1971

House convened, pursuant to adjournment, at 11:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Jackson, Kvaalen, Swan, Wolf, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the fourteenth extraordinary session legislative day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

COMMUNICATIONS AND PETITIONS

March 18, 1971

Mr. Zack Stevens
Chief Clerk
Montana State House of Representatives
Helena, Montana 59601

Dear Zack,

Please inform the Forty-second Legislative Assembly that I have requested Commissioner George Stafford to direct that the Interstate Commerce Commission hold a public hearing in Lewistown, Montana, on Finance Docket No. 26486, at the earliest possible date.

I will be back in touch with you as soon as I receive a reply.

With best personal regards, I remain

Sincerely,

DICK SHOUP
Member of Congress

REPORTS OF STANDING COMMITTEES

March 22, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: Extraordinary Session House Bills Nos. 24, 26, 27.

MARKS, Chairman

March 23, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Extraordinary Session House Bills Nos. 15, 19.

MARKS, Chairman

March 22, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Pat Romaine, Assistant Chief Steno, be changed to Chief Steno effective March 20, 1971, and Judy Walters, Steno, be changed to Assistant Chief Steno effective March 20, 1971.

And further recommend that the following named House Attaches be removed from the payroll effective dates as listed.

Eva K. Seeley, Chief Steno	3/21/71
Lyle Anderson, Asst. Chief Clerk	3/21/71
Debbie Miller, Page	3/19/71
Tom Hauptman, Page	3/20/71
Roy Darrow, Page	3/21/71
Louise Sullivan, Committee Secretary	3/20/71

KOLSTAD, Vice Chairman

Report adopted.

March 22, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Rules of the House, recommends that a new House Rule (H 1-6) be adopted: "The only persons allowed seating privileges at the members' desks or in the aisles in front and behind the members' desks

will be the members themselves, legislative attaches, interns and members of the Senate when in joint session."

HARRISON, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow Third Reading of Extraordinary Session House Bills Nos. 15 and 19 this day. Motion carried.

Harrison moved that the House reconsider its action in adopting an adverse Committee of the Whole report on Extraordinary Session Senate Bill No. 1 and recall it from the Senate. Motion carried.

REPORTS OF STANDING COMMITTEES

March 22, 1971

Mr. Speaker: We, your committee on Reapportionment, having had under consideration Extraordinary House Resolution No. 5, respectfully report as follows. That Extraordinary House Resolution No. 5

Be amended on page 2, line 6, after the word "Huffman," by deleting the following material: "Vice President of Academic Affairs" and inserting in lieu thereof the following material: "Dean of Endowment Research", and

Be further amended on page 2, line 12, by inserting the following new material: "Robert Taylor, Professor, Montana State University, Bozeman, Montana", and

As so amended, be adopted.

FAGG, Chairman

Report adopted.

EXTRAORDINARY SESSION HOUSE RESOLUTION NO. 5

Introduced by Kosena, Fagg, Lundgren, Campbell, Gunderson, Aber, Zody, Ellerd and Robbins.

A Resolution of the House of Representatives Recognizing the Time and Effort Put Forth by Professor Robert Taylor in Assisting the House Reapportionment Committee.

WHEREAS, Bob Taylor, Professor at Montana State University, has for the past regular session and special session of the Forty-second (42) Legislative Assembly, provided the House of Representatives continuous help and guidance in preparation of their reapportionment plans, and

WHEREAS, he has traveled without pay to twelve (12) committee meetings and numerous other occasions when meetings were not held, and

WHEREAS, throughout the session has served as a valuable liaison between the reapportionment committees and members of the House of Representatives and the Senate, explaining, working with and helping to form reapportionment districts, and

WHEREAS, the House Reapportionment Committee feels that any effort towards reapportionment could not have been made without his services, and

WHEREAS, he has worked overtime at the University, making up time spent at the Legislature during reapportionment meetings.

Now, Therefore, Be It Resolved By the House of Representatives of the State of Montana:

That the House of Representatives be unanimous in thanking Bob Taylor for the tremendous amount of services rendered and go on record in giving our thanks to his wife for hours that he has been away from home and to Montana State University for allowing him to work with this Legislative Assembly, and

BE IT FURTHER RESOLVED, that the Chief Clerk of the House send copies of this Resolution, along with a letter of appreciation, to the following persons:

Roy Huffman, Dean of Endowment Research, Montana State University, Bozeman, Montana;

Carl V. McIntosh, President, Montana State University, Bozeman, Montana, and

Jim Edie, Division Head, Department of Earth Sciences, Montana State University, Bozeman, Montana.

Robert Taylor, Professor, Montana State University, Bozeman, Montana.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Giesick in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 24 be amended in section 11, page 6, line 13, by striking the figures "13,600" and "13,600" and inserting in lieu thereof the figures "22,725" and "23,382",

And further amend section 11, page 14, line 3 to add the following: "No funds appropriated for Public Welfare under this act may be disbursed until the State Board of Public Welfare shall establish regulations, not inconsistent with federal laws and regulations, that require able-bodied recipients of public welfare to make every reasonable effort to seek gainful employment including registration for employment with the Montana Employment Security Commission. Exceptions and regulations regarding this section shall be established by the State Board of Public Welfare."

And be amended further in section 11, page 7, following line 6 by inserting the following:

"Rents and Benefits from General Fund	\$145,000	\$145,000"
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And further amend section 11, line 6 by reducing the amounts

\$277,500	\$277,800
\$132,500	\$132,800

And as amended, do pass.

That Extraordinary Session House Bill No. 26 do pass.

That Extraordinary Session House Bill No. 27 do pass.

That the Committee rise and report.

GIESICK, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the rules and place Extraordinary Session House Bills Nos. 24, 26, 27 on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Extraordinary Session House Bill No. 15 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, Murphy, J., Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, E., Snortland, Spilde, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 89.

Noes: Anderson, Burnett, Fasbender, Hodges, Murphy, T., Smith, C., Staigmiller, Sverdsten, Ulmer. Total 9.

Absent or not voting: Brand, Edland. Total 2.

Excused: Jackson, Kvaalen, Swan, Wolf. Total 4.

Extraordinary Session House Bill No. 19 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marks, Mather, Menahan, Murphy, J., Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, C., Smith, E., Snortland, Spilde, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 92.

Noes: Brand, Hall, Harper, Kosena, Marbut, Mehrens, Murphy, T., Watt. Total 8.

Absent or not voting: None.

Excused: Jackson, Kvaalen, Swan, Wolf. Total 4.

Bardanouve moved that Extraordinary Session House Bill No. 24 be placed on the board following Extraordinary Session House Bill No. 27. Motion carried.

Extraordinary Session House Bill No. 26 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Egge-

brecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Murphy, J., Murphy, T., Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, C., Smith, E., Snortland, Spilde, Staigmillar, Sverdsten, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Anderson, Bardanouve, Brand, Christiansen, Edland, Fasbender, Gunderson, Hall Harper, Knudsen, McKittrick, Mehrens, Menahan, Towe. Total 14.

Absent or not voting: None.

Excused: Jackson, Kvaalen, Swan, Wolf. Total 4.

Bardanouve moved that Extraordinary Session House Bill No. 27 be amended on page 15, line 23 by reducing the figures "568,315" to "488,215" and by reducing the figures "411,330" to "357,830". A roll call vote was requested, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Christiansen, Clemow, Cox, Darrow, Devine, Edland, Eggebrecht, Fagg, Greely, Gunderson, Harper, Healy, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lund, McNamer, Mehrens, Menahan, Norman, Parrish, Prevost, Quilici, Robbins, Shelden, Sverdsten, Swanberg, Towe, Weeding, Zody. Total 38.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brand, Brown, Burnett, Campbell, Dye, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Haines, Hall, Harrison, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Lanthorn, Lockrem, Lockwood, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Murphy, J., Murphy, T., Nichols, Olson, Patrick, Perry, Nelstead, Schoonover, Scott, Selstad, Smith, C., Smith, E., Snortland, Spilde, Staigmillar, Ulmer, Warfield, Watt, Whitney, Worden, Zimmer, Mr. Speaker. Total 60.

Absent or not voting: East, Yardley. Total 2.

Excused: Jackson, Kvaalen, Swan, Wolf. Total 4.

Extraordinary Session House Bill No. 27 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Haines, Harrison, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Murphy, J., Murphy, T., Nichols, Olson, Patrick, Nelstead, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, C., Smith, E., Snortland, Spilde, Sverdsten, Ulmer, Warfield, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 71.

Noes: Anderson, Bradley, Brand, Christiansen, Edland, Fasbender, Gerke, Gunderson, Hall, Harper, Healy, Knudsen, Laas, Lee, Lombardi, Lundgren, McKittrick, Mehrens, Menahan, Norman, Parrish, Prevost, Quilici, Staigmillar, Swanberg, Towe, Watt, Weeding. Total 28.

Absent or not voting: Perry. Total 1.

Excused: Jackson, Kvaalen, Swan, Wolf. Total 4.

HOUSE JOURNAL—EXTRAORDINARY SESSION
FORTY-SECOND LEGISLATIVE ASSEMBLY

Extraordinary Session House Bill No. 24 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, East, Eggebrecht, Ellerd, Falkenstern, Fitzgarrald, Fleming, Forester, Giesick, Glennen, Greely, Haines, Harrison, Hemstad Hinsl, Hodges, Johnston, Keller, Kendall, Kolstad, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McGrath, McNamer, Marbut, Marks, Mather, Murphy, J., Nichols, Olson, Patrick, Perry, Nelstead, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, C., Smith, E., Snortland, Spilde, Sverdsten, Swanberg, Ulmer, Warfield, Whitney, Worden, Yardley, Zimmer, Mr. Speaker. Total 70.

Noes: Anderson, Bardanouve, Brand, Christiansen, Edland, Fagg, Fasbender, Gerke, Gunderson, Hall, Harper, Healy, Knudsen, Kosena, Lee, Lombardi, Lynch, McKittrick, Mehrens, Menahan, Murphy, T., Norman, Parrish, Prevost, Staigmiller, Towe, Watt, Weeding, Zody. Total 29.

Absent or not voting: Dye. Total 1.

Excused: Jackson, Kvaalen, Swan, Wolf. Total 4.

Harrison moved that the House adjourn until 11:00 a.m. March 23, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

SIXTEENTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 23, 1971

House convened, pursuant to adjournment, at 11:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Brand, Jackson, Kvaalen, Marks, Wolf, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fifteenth Extraordinary Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 23, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Extraordinary Session House Bills Nos. 24, 26, 27.

BURNETT

March 22, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session House Bill No. 28, respectfully

report as follows: That Extraordinary Session House Bill No. 28 be amended

Nichols moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended as follows: By striking the material from Section 7, line 20, page 9, through line 12, page 14 and inserting in lieu thereof, the following material:

For the Fiscal	For the Fiscal
Year Ending	Year Ending
June 30, 1972	June 30, 1973

SUPERINTENDENT OF PUBLIC INSTRUCTION

(1) From the general fund for:

(a) all duties and services of the office of the superintendent of public instruction including the National Defense Education Act but excluding the Manpower Development and Training Act and vocational education, for personal services, operation and capital	\$ 426,594	\$ 456,858
(b) Manpower Development and training, personal services, operation and capital and educational training projects	45,050	49,550
(c) Vocational education, personal services, operation and capital	18,650	24,925
(d) School food services, for twelve percent (12%) state matching funds to be distributed to school districts	117,956	176,933

(2) From the earmarked revenue fund for:

(a) Traffic and safety education account for personal services, operation and capital	24,000	24,000
(b) Traffic and safety education account for distribution to schools, as much as is available for distribution		
(c) State equalization aid account for all duties and services of the office of the superintendent of public instruction including the National Defense Education Act but excluding the Manpower Development and Training Act and vocational education, for personal services, operation and capital	189,432	201,681
(d) State equalization aid account for vocational education, personal services, operation and capital	90,172	93,685
(e) The amount of twenty-five thousand dollars (\$25,000) is appropriated from the earmarked revenue fund, state equalization aid account to the revolving fund, school food services program account, to cover the handling charges of commodities to districts to be reimbursed by such		

districts. Any balance remaining in the revolving fund, school food services program account, at the end of the biennium shall revert to the fund from which it was appropriated.

(3) From the federal and private revenue fund, public instruction account for:

(a) All federal monies are hereby appropriated.

(4) From the federal and private revenue fund, surplus property account:

(a) All revenues received are hereby appropriated.

VOCATIONAL EDUCATION

(1) From the general fund for the biennium ending June 30, 1973:

(a) to the state board of vocational education to finance post-secondary and other than post-secondary programs	2,150,000	2,250,000
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(b) For Manpower Development and Training Act	33,400	36,801
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(c) to Northern Montana College for training vocational-technical teachers	100,000	
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(2) All federal monies deposited in the superintendent of public instruction federal and private grant clearance account (510403) are hereby appropriated.

FOUNDATION PROGRAM

(1) From the general fund:

(a) For funding the foundation program	14,629,687	17,604,686
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And as amended do pass.

NICHOLS, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

March 23, 1971

Honorable Thomas Judge
President of the Senate
State Capitol
Helena, Montana

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol
Helena, Montana

Gentlemen:

In accordance with Article VII, Section 11, of the Montana Constitution, I hereby request that the Senate of the State of Montana, now con-

vened in Extraordinary Session of the Legislative Assembly, consider the following executive business:

Consideration of gubernatorial appointments requiring Senate confirmation.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

March 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in, as amended, in the following Extraordinary Session House Bill No. 3 title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in the following Extraordinary Session House Joint Resolutions, title and history agreed to, and the bills are herewith returned to the House.

Extraordinary Session House Joint Resolution No. 2, introduced by Forester and Aspevig

Extraordinary Session House Joint Resolution No. 5, introduced by Haines, Marbut and Ainsworth

Extraordinary Session House Joint Resolution No. 6, introduced by Haines, Marbut and Ainsworth

Extraordinary Session House Joint Resolution No. 7, introduced by Worden, Ainsworth and Campbell

Extraordinary Session House Joint Resolution No. 8, introduced by Norman

Extraordinary Session House Joint Resolution No. 9, introduced by Watt

Extraordinary Session House Joint Resolution No. 1, introduced by Forester and Aspevig.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 22, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House and Extraordinary Session Senate Bill No. 1, is herewith returned to the House for further consideration.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in, as amended, the following House bills, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments.

Extraordinary Session House Bill No. 17, introduced by Bardanoue and Nichols

Extraordinary Session House Joint Resolution No. 3, introduced by Healy, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that Extraordinary Session Senate Bill No. 1 be referred to the Reapportionment Committee. Motion carried.

Harrison moved that the House suspend the Rules to allow Extraordinary Session House Bill No. 28 to be considered on Second Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary House Bill No. 29, introduced by Committee on Legislative Modernization: A bill for an act entitled: "An act to appropriate moneys from the general fund for the purchase and installation of a new sound system and electronic voting system for the House of Representatives; providing an effective date." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 28 be amended in Section 7, page 13, line 27 by deleting 14,629,685 and inserting in lieu thereof the amount 25,810,000 and deleting 17,604,686 and adding in lieu thereof the amount 27,735,000.

And that Extraordinary Session House Bill No. 28 be passed for this sitting.

That the Committee rise and report and beg leave to sit again.

LYNCH, Chairman

Report adopted.

Harrison moved that the House recess for ten minutes. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 23, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session House Bill No. 9, respectfully report as follows: That Extraordinary Session House Bill No. 9 do pass.

NICHOLS, Chairman

Report adopted.

March 23, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session House Bill No. 12, respectfully report as follows: That Extraordinary Session House Bill No. 12 do pass.

NICHOLS, Chairman

Report adopted.

March 23, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session House Bill No. 25, respectfully report as follows: That Extraordinary Session House Bill No. 25 be amended

Nichols moved that the House suspend the Rules and consider the amendments read in full. Motion failed. Amendments were read in full.

Amend the title, page 1 of the introduced bill, following the word "grants" by inserting the following material: "; providing that said reimbursements be used for the general support of government;"

Amend Section 2, page 1, line 15, by omitting the word "treasurer" and by inserting in lieu thereof the word "assessor".

Amend Section 2, subsection (5), page 2, line 8, following the words "parcel on" by omitting the words "a taxation" and by inserting in lieu thereof the words "the assessment".

Further amend Section 2, subsection (5), page 2, line 10, following the word "property" by omitting the word "tax" and by inserting in lieu thereof the word "assessment".

Amend Section 2, subsection (10) (b), page 3, line 3, by omitting the words "a taxation" and by inserting in lieu thereof the words "the assessment".

Further amend Section 2, subsection (10) (b), page 3, line 4, following the word "property" by omitting the word "tax" and by inserting in lieu thereof the word "assessment".

Amend Section 3, page 3, by omitting all of the material in lines 9 through 13 and by inserting in lieu thereof the words "On the face of every tax notice prepared under title 84 and on every entry in the real property assessment roll prepared by the collector of a county, there shall be: (1) the words".

Amend Section 4, page 4, lines 2 and 3, following the words, figures and punctuation in line 2 "title 84," by omitting the words "and on the reverse side of every tax demand notice" and following the words "by the"

on line 3 by omitting the word "collector" and by inserting in lieu thereof the word "treasurer".

Further amend Section 4, page 4, line 5, following the words "by the" by omitting the word "collector" and by inserting in lieu thereof the word "treasurer".

Amend Section 5, page 5, line 4, following the words "taxation notice" by omitting the words "or tax demand notice".

Further amend Section 5, page 5, line 9, following the words "parcel on" by omitting the words "a taxation" and by inserting in lieu thereof the words "the assessment".

Further amend Section 5, page 5, line 10, following the word and figures "title 84" by inserting the word "or".

Further amend Section 5, page 5, line 11, by omitting the word "taxation" and by inserting in lieu thereof the word "assessment".

Further amend Section 5, page 5, lines 24 and 25, following the words "taxation notice" on line 24 by omitting the words "or tax demand notice".

Amend Section 7, subsection (3), page 8, line 11, following the words "parcel on" by omitting the words "a taxation" and by inserting in lieu thereof the words "an assessment".

Further amend Section 7, subsection (3), page 8, line 12, following the word "property" by omitting the word "tax" and inserting in lieu thereof the word "assessment".

Amend Section 8, subsection (2), page 9, line 7, by omitting the words "taxation notice" by omitting the words "or tax demand notice".

Further amend Section 8, subsection (1), lines 24 and 25, following the words "taxation notice" on line 24 by omitting the words "or tax demand notice".

Amend Section 8, subsection (2), page 9, line 7, by omitting the words "or tax demand notice".

Further amend Section 8, subsection (2), page 9, line 8, following the words "taxation notice" by omitting the words "or tax demand notice".

Amend Section 9, subsection (2), page 10, lines 5 and 6, following the words "tax notice" on line 5, by omitting the words "or tax demand notice".

Amend Section 9, subsection (3), page 10, line 16, following the words "taxation notice" by omitting the words "or tax demand notice".

Amend Section 10, page 10, line 20, following the word "until" by omitting the words "the controller authorizes their destruction" and by inserting in lieu thereof the words "their destruction is authorized".

Amend Section 11, subsection (1), line 25, following the words "grant is" by omitting the word "not" and by inserting in lieu thereof the words "or is not".

Further amend Section 11, subsection (1), page 10, line 26, following the word "grant" by omitting the words "is final" and by inserting in lieu thereof the words "shall be determined in accordance with Section 84-429.11, R.C.M., 1947".

Further amend Section 11, subsection (2) (a) and (b) by omitting this material in its entirety.

Amend Section 13, subsection (1), page 11, lines 15 and 16, following

the words "delivered to the" on line 15, by omitting the word "controller" and by inserting in lieu thereof the words "board of equalization".

Further amend Section 13, subsection (1), page 11, line 17, following the words "to the" by omitting the word "controller" and by inserting in lieu thereof the words "board of equalization".

Further amend Section 13, subsection (1), page 11, line 20, following the words "on the" by omitting the word "taxation" and by inserting in lieu thereof the word "assessment".

Further amend Section 13, subsection (1), page 11, line 21, following the word "property" by omitting the word "tax" and by inserting in lieu thereof the word "assessment".

Amend Section 13, subsection (2), page 11, line 30, following the words "to the" by omitting the word "controller" and by inserting in lieu thereof the words "board of equalization".

Amend Section 14, line 3, following the word "The" by omitting the word "controller" and by inserting in lieu thereof the words "board of equalization".

Amend Section 16, page 12, line 21, by omitting all of the material in line 21 and by inserting in lieu thereof "of a misdemeanor and on conviction, may be fined" and by omitting the words "fine of" on line 22.

Further amend Section 16, page 12, line 23, following the words "offense and" by omitting the words "a fine of".

Amend page 13, following line 28, by adding a new Section 21 as follows:

"Section 21. The purpose of this act shall be to appropriate funds for the general support of government by granting homestead exemptions and by replacing the amount of said homestead exemptions by appropriation and reimbursement of like amounts to the county treasurers of Montana."

And as amended, do pass.

NICHOLS, Chairman

Nichols moved for adoption of the Committee report.

As a substitute motion, Schoonover moved that the Committee report be not adopted. The motion failed.

Thereupon the Committee report was adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Extraordinary House Joint Resolution No. 10, introduced by Ainsworth, Worden, Haines, Campbell. A Joint Resolution of the Senate and House of Representatives Consenting to the Construction of a Fine Arts Center at the University of Montana, Missoula, Montana. Referred to Committee on Rules and Journal.

Extraordinary House Bill No. 30, introduced by Watt, Haines, Burnett, Christiansen, Kosena, Worden, Aspevig, Healy. A bill for an act entitled: "An Act Providing for the Partial Replacement of Property Taxes on Habitable Property and Certain Personal Property with a Tax on Total Disposable Income; Defining Habitable Property and Providing for Its Separate Listing; and Providing for Withholding." Referred to Committee on Ways and Means.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 28 be amended on line 27, page 13, by inserting the following: "For payment of transportation aid in accordance with Montana School Law. 1,400,00 1,425,000"

And as amended, do pass.

That Senate Amendments to Extraordinary House Joint Resolution No. 3 be concurred in.

That Senate Amendments to Extraordinary Session House Bill No. 17 be concurred in.

That Senate Amendments to Extraordinary Session House Bill No. 3 be not concurred in.

That the Committee rise and report.

LYNCH, Chairman

Lynch moved for adoption of the Committee of the Whole report.

As a substitute motion, Schoonover moved that Extraordinary Session House Bill No. 28 be segregated. A roll call vote was requested with the Ayes and Nays spread on the Journal. Sufficient seconds arose, and the substitute motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gundersen, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosen, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, Murphy, T. L., Norman, Parrish, Perry, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer. Zody. Total 49.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrauld, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsi, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, Murphy, J. E., Nichols, Olson, Patrick, Nelstead, Scott, Selstad, Smith, C. M., Smith, E. B., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Absent or not voting None.

Excused: None.

Paired: Marks, no; Hall aye; Brand, aye; Kvaalen, no; Jackson, aye; Wolf, no.

REPORTS OF STANDING COMMITTEES

March 23, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Extraordinary Session House Joint Resolutions Nos. 1, 2, 5, 6, 7, 8, 9.

BURNETT, Vice-Chairman

March 23, 1971

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Extraordinary Session Senate Bill No. 5, respectfully report as follows: That Extraordinary Session Senate Bill No. 5 be amended

Be amended on page 14, section 10, line 30, after the word "statute" by adding the words "relating directly to an agency", and

Be further amended on page 15, section 10, lines 2 through and including 6, by striking the material therein in its entirety, and

Be further amended on page 15, section 10, line 7, before the word "Objections" by striking the material therein in its entirety, and

Be further amended on page 22, after line 4, by adding the new subsection (8): "(8) An aggrieved party may obtain a trial de novo in the district court by filing a petition for such review, as otherwise provided in this section. The petition shall specifically state that it is filed pursuant to this subsection and that a trial de novo is demanded. The rules of evidence as in civil cases generally shall apply to the trial de novo. This subsection shall not preclude judicial review as otherwise provided in this Section, in the event a trial de novo is not demanded."

And as amended, be concurred in.

SCOTT, Chairman

Report adopted.

I have examined Extraordinary Session House Joint Resolutions Nos. 1 and 2, introduced by me, and find the same to be correct.

FORESTER

I have examined Extraordinary Session House Joint Resolutions Nos. 5 and 6, introduced by me, and find the same to be correct.

HAINES

I have examined Extraordinary Session House Joint Resolution No. 7, introduced by me, and find the same to be correct.

WORDEN

I have examined Extraordinary Session House Joint Resolution No. 8, introduced by me, and find the same to be correct.

NORMAN

I have examined Extraordinary Session House Joint Resolution No. 9, introduced by me, and find the same to be correct.

WATT

The Speaker signed in open session the following bills: Extraordinary Session House Joint Resolutions Nos. 1, 2, 5, 6, 7, 8, 9.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow Third Reading of Bills on Second Reading this day.

As a substitute motion, Christiansen moved to allow only Senate Amendments to Extraordinary Session House Bill No. 17 on Third Reading this day. Motion failed.

Thereupon, the original motion to suspend the Rules failed.

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Harrison moved that the House adjourn until 11:00 a.m., March 24, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

SEVENTEENTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 24, 1971

House convened, pursuant to adjournment, at 11:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Bradley, Devine, Jackson, Kvaalen, Lundgren, McNamer, Marks, Perry, Scott, Staigmiller, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the sixteenth extraordinary session legislative day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

March 24, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: Extraordinary Session House Bills Nos. 12, 9, 25.

March 24, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Extraordinary Session House Bill No. 28.

BROWN

March 24, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Julie Anne Hutchison be added to the payroll as Page effective March 24, 1971.

SPILDE, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

March 24, 1971

Honorable Thomas Judge
President of the Senate
State Capitol
Helena, Montana

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol
Helena, Montana

Gentlemen:

Tuesday afternoon, March 23, the United States House of Representa-

tives concurred in the U.S. Senate Joint Resolution 7, proposing an amendment to the Constitution of the United States, extending the right to vote to citizens eighteen years of age and older.

By this action it now rests with the states to act on this proposed amendment, to determine whether or not it is ratified.

Therefore, I hereby request in addition to those subjects heretofore specified, that the 42nd Legislative Assembly, convened in Extraordinary Session, consider and act upon the subject hereinafter specified:

Ratifying the proposed amendment to the Constitution of the United States relating to the right to vote at eighteen years of age.

Sincerely,

FORREST H. ANDERSON
Governor

MOTIONS AND RESOLUTIONS

Parrish moved that the House suspend the Rules to allow Extraordinary Session House Bill No. 28 to be placed on Third Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committee:

Extraordinary Session House Bill No. 31, introduced by Marbut, Baranouve, Dye: A bill for an act entitled: "An Act Appropriating Six Thousand Dollars (\$6,000) From the General Fund to the Legislative Council to Be Used for Expenses of Legislators When Attending Conferences and Seminars." Referred to Committee on Appropriations.

Extraordinary Session House Joint Resolution No. 11, introduced by Quilici, Harper, Kolstad, Lombardi, Lee, Kosena, Lynch, Healy, Mehrens, Menahan, Eggebrecht, Laas, Knudsen, Lundgren: A Joint Resolution of the Senate and House of Representatives Consenting to the Construction of an Environmental Research Center at Montana College of Mineral Science and Technology, Butte, Montana. Referred to Committee on Appropriations.

THIRD READING OF SENATE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to Extraordinary House Joint Resolution No. 3 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Haines, Hall, Harper, Harrison, Healy, Hemstad, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, McGrath, Mather, Mehrens, Menahan, Murphy, J., Nichols, Olson, Nelstead, Robbins, Schoonover, Selstad, Sheldon, Smith, C., Smith, E., Snortland, Spilde, Sverdsten, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 72.

Noes: Anderson, Baranouve, Brand, Brown, Eggebrecht, Fasbender, Greely, Gunderson, Himsl, McKittrick, Marbut, Murphy, T., Norman, Parrish, Prevost, Quilici, Towe, Wolf, Zimmer. Total 19.

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Absent or not voting: Giesick, Lynch, Patrick. Total 3.

Excused: Bradley, Devine, Jackson, Kvaalen, Lundgren, McNamer, Marks, Perry, Scott, Staigmiller. Total 10.

Senate Amendments to Extraordinary Session House Bill No. 17 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Christiansen, Clemow, Cox, Darrow, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, Murphy, J., Murphy, T., Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Shelden, Spilde, Svedsten, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 73.

Noes: Bennett, Brown, Burnett, Campbell, East, Falkenstern, Gunderson, Hemstad, Keller, Kolstad, Lockrem, Mather, Perry, Selstad, Smith, C., Smith, E., Snortland, Swan, Ulmer, Whitney, Wolf. Total 21.

Absent or not voting: Brand. Total 1.

Excused: Bradley, Devine, Jackson, Kvaalen, Lundgren, McNamer, Marks, Scott, Staigmiller. Total 9.

Paired: Dye, Aye; Perry, No.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session House Bill No. 28 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, Murphy, J., Nichols, Olson, Patrick, Nelstead, Prevost, Scott, Selstad, Smith, C., Smith, E., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 57.

Noes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, Murphy, T., Norman, Parrish, Perry, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 47.

Absent or not voting: None.

Excused: None.

Paired: Burnett, Aye; Perry, No. Lundgren, Aye; Greely, No. Kvaalen, Aye; Jackson, No. Marks, Aye; Staigmiller, No. Scott, Aye; Devine, No. McNamer, Aye; Bradley, No.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session Senate Bill No. 5 be concurred in.

That Extraordinary Session House Bill No. 9 be passed for the day.

That Extraordinary Session House Bill No. 12 do pass.

That Extraordinary Session House Bill No. 25 do pass.

That the Committee rise and report.

LOCKREM, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 24, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session House Bill No. 17.

BURNETT

March 24, 1971

Mr. Speaker: We, your Bills Committee, to whom was referred Extraordinary Session House Joint Resolutions Nos. 1, 2, 5, 6, 7, 8, 9, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:35 o'clock, a.m., delivered to the Governor for his approval.

BURNETT

March 24, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session House Bill No. 29, respectfully report as follows: That Extraordinary Session House Bill No. 29 be amended —

Nichols moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended in the title on page 1, line 5, after the word "Purchase" by inserting the words "Or Lease";

Further amend the title on page 1, lines 7 and 8, by striking the semicolon "(:)" and inserting in lieu thereof a period "(.)" and striking the rest of the title "Providing An Effective Date."

Further amend page 1, section 1, line 13, after the word "hundred" by striking the following material "three thousand four hundred dollars (\$103,400)" and inserting in lieu thereof the following material "five thousand dollars (\$105,000)";

Further amend section 1, page 1, line 15, after the word "purchase" by inserting the new material "or lease";

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Be further amended in section 1, lines 16, 17, and 18 after the word "system" by deleting the semicolon "(:)" and inserting a period "(.)" and by striking the rest of the material;

Further amend page 1 by striking all of section 2;

And as amended, do pass.

NICHOLS, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to permit Extraordinary Session House Bills Nos. 12, 25 and Extraordinary Session Senate Bill No. 5 to be considered correctly engrossed and placed on Third Reading this day. Motion carried.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session Senate bill No. 5 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, Murphy, T., Nichols, Norman, Olson, Nelstead, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, Smith, C., Smith, E., Snortland, Spilde, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 87.

Noes: Murphy, J., Parrish, Wolf. Total 3.

Absent or not voting: Bardanoue, Campbell, Patrick, Sverdsten. Total 4.

Excused: Bradley, Devine, Jackson, Kvaalen, Lundgren, McNamer, Marks, Perry, Scott, Staigmillier. Total 10.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session House Bill No. 12 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Brown, Christiansen, Clemow, Cox, Dye, Edland, Eggebrecht, Ellerd, Fagg, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Kendall, Knudsen, Kosena, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, McGrath, McKittrick, Marbut, Murphy, J. Nichols, Olson, Parrish, Nelstead, Robbins, Schoonover, Shelden, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 64.

Noes: Anderson, Brand, Burnett, Darrow, East, Falkenstern, Giesick, Hemstad, Johnston, Keller, Kolstad, Lee, Lynch, Mather, Mehrens, Menahan, Murphy, T., Norman, Prevost, Quilici, Selstad, Smith, C., Smith E., Snortland, Spilde, Whitney, Wolf. Total 27.

Absent or not voting: Campbell, Patrick, Weeding. Total 3.

Excused: Bradley, Devine, Jackson, Kvaalen, Lundgren, McNamer, Marks, Perry, Scott, Staigmiller. Total 10.

SPECIAL ORDERS OF THE DAY

Linda Davis, folk singer, presented a program of musical selections before the Assembly.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session House Bill No. 25 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brand, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lund, Lundgren, Lynch, McNamer, Marbut, Marks, Mather, Murphy, J. Nichols, Norman, Olson, Patrick, Nelstead, Prevost, Scott, Selstad, Smith, C., Smith, E., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Mr. Speaker. Total 62.

Noes: Anderson, Baeth, Bardanouve, Bradley, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Lee, Lombardi, McGrath, McKittrick, Mehrens, Menahan, Murphy, T., Parrish, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Weeding, Yardley, Zimmer, Zody. Total 41.

Absent or not voting: None.

Excused: Perry. Total 1.

Paired McNamer, Aye; Bradley No. Scott, Aye; Devine, No. Marks, Aye; Staigmiller, No. Kvaalen, Aye; Jackson, No. Lundgren, Aye; Greely, No.

REPORTS OF STANDING COMMITTEES

March 24, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session House Joint Resolution No. 3.

BURNETT

I have examined Extraordinary Session House Bill No. 17, introduced by me, and find the same to be correct.

BARDANOUE

March 24, 1971

I have examined Extraordinary Session House Joint Resolution No. 3, introduced by me, and find the same to be correct.

HEALY

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FORTY-SECOND LEGISLATIVE ASSEMBLY

The Speaker signed the following bills in open session: Extraordinary Session House Bill No. 17, Extraordinary Session House Joint Resolution No. 3.

Harrison moved that the House adjourn until 11:00 a.m., March 25, 1971. Motion carried.

House adjourned.

ZACK STEVENS, Chief Clerk

JAMES P. LUCAS, Speaker

EIGHTEENTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 25, 1971

House convened, pursuant to adjournment, at 11:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Burnett, Clemow, Edland, Gunderson, Jackson, Knudsen, Kvaalen, McGrath, Marks, Wolf, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the seventeenth extraordinary session legislative day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 25, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Extraordinary Session House Bills Nos. 12, 25.

BROWN

March 25, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: Extraordinary Session House Bill No. 29.

BROWN

March 24, 1971

Mr. Speaker: We, your Bills Committee, to whom was referred Extraordinary Session House Bill No. 17 and Extraordinary Session House Joint Resolution No. 3, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:15 o'clock, p.m., delivered to the Governor for his approval.

BROWN

March 25, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Noel V. Haegen be added to the payroll as Steno effective March 25, 1971.

SPILDE, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary House Bill No. 32, introduced by Glennen. A bill for an act entitled: "An Act Relating to Table Wine; Providing Fees for Retail Licenses; Providing for Administration of This Act By the Montana Liquor Control Board; Providing for the Distribution of the Revenue Collected From the Tax on Table Wine Sold to Retailers." Referred to Committee on Ways and Means.

Extraordinary House Bill No. 33, introduced by Fasbender, Hall, Gerke, Bardanouve. A bill for an act entitled: "An Act to Amend Section 84-4902, R.C.M., 1947, Relating to the Rate of Income Tax; Repealing Section 84-4902.1, R.C.M., 1947, Providing for a Surcharge; Providing an Effective Date." Referred to Committee on Ways and Means.

Extraordinary House Bill No. 34, introduced by Christiansen, Gerke, Hall, Fasbender. A bill for an act entitled: "An Act to Amend Chapter 333, Session Laws of 1971, to Provide That the Temporary Corporation License Tax of Six and One-Quarter Percent (6¼%) of Net Income Be Increased to Seven Percent (7%) and Made Permanent; and Providing An Effective Date." Referred to Committee on Ways and Means.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Forester in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, our Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 9 be amended in Section 1, sub-section 1, page 1, line 21 of Extraordinary House Bill No. 9 as approved by the Appropriation Committee on March 23, 1971, by deleting the figures "[205,118]" and inserting in lieu thereof the figures "182,566", and

Further amend Section 1, subsection 1, page 1, line 22 by deleting the figures "[375,640]" and inserting in lieu thereof the figures "334,339", and

Further amend Section 1, subsection 1, page 1, line 23 by deleting the figures "[207,616]" and inserting in lieu thereof the figures "184,790", and

Further amend Section 1, subsection 1, page 1, line 24 by deleting the figures "[788,374]" and inserting in lieu thereof the figures "701,695", and

Further amend Section 1, subsection 2, page 1, line, 26 by deleting the figures "[234,370]" and inserting in lieu thereof the figures "208,600", and

Further amend Section 1, subsection 2, page 1, line 27 by deleting the figures "[464,460]" and inserting in lieu thereof the figures "413,394", and

Further amend Section 1, subsection 2, page 1, line 28 by deleting the figures "[231,796]" and inserting in lieu thereof the figures "206,311", and

Further amend Section 1, subsection 2, page 1, line 29 by deleting the figures "[930,676]" and inserting in lieu thereof the figures "828,305", and

Further amend Section 1, subsection 2, page 1, line 30 by deleting the figures "[1,719,000]" and inserting in lieu thereof the figures "1,530,000"

(Material in brackets denotes canceled type.)

And as amended, do pass.

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That the Committee rise and report and beg leave to sit again.

FORESTER, Chairman

Report adopted.

Harrison moved that the House recess until 3:00 p.m. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 25, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary House Resolution No. 4, respectfully report as follows: That Extraordinary House Resolution No. 4 be not adopted.

ULMER, Chairman

Report adopted.

MESSAGES FROM THE SENATE

March 25, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Extraordinary Session Senate Bill No. 5 and the President was authorized to appoint a Conference Committee and requests the House to appoint a like committee to confer on said amendments.

The President appointed the following: Senator Sheehy, Chairman; Senator Lynch, Senator Turnage.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 25, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in Extraordinary Session House Bill No. 15, introduced by Haines, et al, title and history agreed to, and the bill is herewith returned to the House for concurrence.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the Speaker appoint a Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill No. 3. Motion carried.

Harrison moved that the Speaker appoint a Free Conference Committee of three to meet with a like Committee from the Senate on House Amendments to Senate Bill No. 5. Motion carried.

The Speaker appointed the following Conference Committees:

House Bill No. 3: Himsl, Ellerd, Gerke.

Senate Bill No. 5: Murphy, J., Harrison, Parrish.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Forester in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 29 be amended in Section 1, page 1, line 15, after the word "system" by adding the following new material: "in the House of Representatives"

And as amended, do pass.

That the Committee rise and report.

FORESTER, Chairman

Report adopted.

MESSAGES FROM THE SENATE

March 25, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed Extraordinary Session Senate Joint Resolution No. 1, introduced by Dzivi, et al, title and history agreed to, and the bill is herewith transmitted to the House for concurrence.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and consider Extraordinary Session House Bills Nos. 9 and 29 as correctly engrossed and be placed on Third Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Extraordinary Session Senate Joint Resolution No. 1, introduced by Dzivi, Mathers, Lyon, Bertsche, McCallum, Stephens, Keenan, Sheehy, Drake, McOmber, Carl, Lowe, James, Goodheart, DeWolfe, Graham, Shea, Hafferman, Rehberg, Deschamps, Cochrane, Klindt, Northey, Siderius, Mackay, McKeon, Moore, Moritz, Cotton, Hanks, Bollinger, Mitchell, McDonald, McGowan, Sorensen, Reardon, Vainio, Hazelbaker, Broeder, Rostad, Flynn, Manning, Bennett, Groff, Boylan, Gilfeather, Hibbard, Nees, Rosell, Lynch, Brownfield. A Joint Resolution of the Senate and House of

Representatives Ratifying the Proposed Amendment to the Constitution of the United States Relating to the Right to Vote at Eighteen Years of Age. Referred to Committee on Constitution, Elections and Federal Relations.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Extraordinary Session House Bill No. 9 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Cox, Darrow, Devine, Dye, East, Eggebrecht, Fagg, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Mather, Mehrens, Menahan, Murphy, J. E., Murphy, T. L., Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Shelden, Smith, C. M., Smith, E. B., Snortland, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 75.

Noes: Brand, Ellerd, Fasbender, Greely, Haines, Hall, Lockrem, McNamer, Nichols, Patrick, Scott, Staigmiller, Worden. Total 13.

Absent or not voting: Bardanouve, Falkenstern, Keller, Kendall, Selstad, Spilde, Sverdsten. Total 7.

Excused: Clemow, Edland, Gunderson, Jackson, Knudsen, Kvaalen, McGrath, Marks, Wolf. Total 9.

Extraordinary Session House Bill No. 29 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Campbell, Christiansen, Cox, Darrow, Devine, Dye, Eggebrecht, Fagg, Fasbender, Fitzgarrald, Fleming, Gerke, Giesick, Glennen, Greely, Haines, Hall, Harper, Harrison, Healy, Hodges, Johnston, Kosena, Laas, Lanthorn, Lockrem, Lockwood, Lund, McKittrick, Marbut, Murphy, J. E., Nichols, Norman, Parrish, Patrick, Nelstead, Robbins, Schoonover, Scott, Shelden, Staigmiller, Swanberg, Towe, Ulmer, Warfield, Watt, Worden, Yardley, Zody, Mr. Speaker. Total 57.

Noes: Aber, Anderson, Brand, Burnett, East, Ellerd, Forester, Hemstad, Himsl, Kolstad, Lee, Lien, Lombardi, Lundgren, Lynch, McNamer, Mather, Mehrens, Menahan, Murphy, T. L., Olson, Perry, Prevost, Quilici, Smith, C. M., Smith, E. B., Snortland, Swan, Weeding, Whitney, Zimmer. Total 31.

Absent or not voting: Bandanouve, Falkenstern, Keller, Kendall, Selstad, Spilde, Sverdsten. Total 7.

Excused: Clemow, Edland, Gunderson, Jackson, Knudsen, Kvaalen, McGrath, Marks, Wolf. Total 9.

Harrison moved that the House adjourn until 1:00 p.m., March 26, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

NINETEENTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 26, 1971

House convened, pursuant to adjournment, at 1:00 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Kvaalen, McKittrick, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the eighteenth extraordinary session legislative day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 25, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Extraordinary Session House Bills Nos. 9, 29.

BROWN

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session House Bill No. 15.

BROWN

I have examined Extraordinary Session House Bill No. 15, introduced by me, and find the same to be correct.

HAINES

The Speaker signed the following bill in open session: Extraordinary Session House Bill No. 15.

March 26, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session House Bill No. 31, respectfully report as follows: That Extraordinary Session House Bill No. 31 do pass.

NICHOLS, Chairman

Report adopted.

March 26, 1971

Mr. Speaker: We, your committee on Appropriations, having had under consideration Extraordinary Session House Joint Resolution No. 11, respectfully report as follows: That Extraordinary Session House Joint Resolution No. 11

Be amended on page 1, line 19, following the word "college" by inserting the following words: "from the long-range building program, bond proceeds and insurance account";

Be further amended on page 1, line 20, following the word "construction" by omitting the words "of this center" and inserting in lieu thereof the words and figures "not to exceed fifty thousand dollars (\$50,000)";

As amended, do pass.

NICHOLS, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

March 25, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed Extraordinary Session House Bill No. 17.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

March 26, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President was authorized to appoint the following members to a Free Conference Committee on Extraordinary Session House Bill No. 3.

Senator Bertsche - Chairman
Senator Mackay
Senator Graham

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committee:

Extraordinary Session House Joint Resolution No. 12, introduced by Lee, Lombardi, Healy, Mehrens, Quilici, Kosena, Kolstad, Menahan, Cox, Harper, Lynch, Lucas, Brand, Towe, Murphy, T., Hodges, Devine, McKittrick, Greely, Marbut, Glennen, Aspevig, Spilde: A Joint Resolution of the House of Representatives and Senate of the State of Montana consenting to the Planning and Construction of a Physical Education Complex at Montana College of Mineral Science and Technology, Butte, Montana. Referred to Committee on Long Range Building Program.

Extraordinary Session House Bill No. 35, introduced by Darrow, Patrick, Cox, Lucas, Christiansen, Fleming, Swanberg, Staigmiller, Lockwood, Sverdsten, Lundgren, Warfield, Haines, Kosena, Harper, Devine, Brand, Baeth, Parrish, Lanthorn, Bennett, Ainsworth, Marbut, Fagg, Lund, Nichols, Mather, Scott, Olson, Fitzgarrald, Robbins, McNamer, Glennen, Aspevig, Schoonover, Kendall, Bradley: A bill for an act entitled: "An Act Appropriating Moneys to the Environmental Quality Council to Implement the Provisions of House Bill 66; Providing an Effective Date." Referred to Committee on Appropriations.

Extraordinary Session House Bill No. 36, introduced by Darrow, Patrick, Cox, Lucas, Christiansen, Fleming, Swanberg, Staigmiller, Sverdsten, Warfield, Haines, Kosena, Harper, Devine, Baeth, Brand, Parrish, Lanthorn, Bennett, Ainsworth, Marbut, Fagg, Lund, Nichols, Scott, Olson, Fitzgarrald, Robbins, Glennen, Aspevig, Schoonover, Kendall, Bradley: A bill for an act entitled: "An Act Appropriating Eighty-Seven Thousand

Five Hundred Dollars (\$87,500) for the Operation of the Environmental Quality Council for the Biennium Ending June 30, 1973." Referred to Committee on Appropriations.

Extraordinary Session House Bill No. 37, introduced by Gunderson, Towe, Murphy, T., Swanberg, Greely, Staigmiller: A bill for an act entitled: "An Act to Apportion the Legislative Assembly According to the 1970 Federal Census; and Repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947." Referred to Committee on Reapportionment.

Harrison moved that the House adjourn until 10:00 a.m., March 27, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

TWENTIETH EXTRAORDINARY LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 27, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Edland, Fitzgarrald, Kvaalen, Laas, McKittrick, Olson, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the nineteenth extraordinary session legislative day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

March 27, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: Extraordinary Session House Joint Resolution No. 11 and Extraordinary Session House Bill No. 31.

BROWN

March 26, 1971

Mr. Speaker: We, your Bills Committee, to whom was referred Extraordinary Session House Bill No. 15, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 2:05 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

March 27, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Cathy Castles, Steno, be removed from the payroll effective March 26, 1971.

And further recommend that William Kirley be added to the payroll as Page effective March 27, 1971.

SPILEDE, Chairman

Report adopted.

March 27, 1971

Mr. Speaker: We, your committee on Constitution, Elections and Federal Relations, having had under consideration Extraordinary Session Senate Joint Resolution No. 1, respectfully report as follows: That Extraordinary Session Senate Joint Resolution No. 1 be concurred in.

HAINES, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to Extraordinary Session House Bill No. 3, respectfully report and recommend as follows:

That the House accede to the Senate Amendments adopted March 20, 1971 and March 23, 1971.

For the Senate: BERTSCHE
GRAHAM
MACKAY

For the House: GERKE
ELLERD
HIMSL

Himsl moved for adoption of the Committee report.

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bennett, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Devine, East, Ellerd, Fagg, Falkenstern, Fasbender, Fleming, Gerke, Glennen, Greely, Gundersen, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Kosena, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Menahan, Nichols, Parrish, Perry, Nelstead, Quilici, Robbins, Scott, Shelden, Smith, C. M., Smith, E. B., Snortland, Spilde, Staigmillier, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 77.

Noes: Bardanouve, Darrow, Eggebrecht, Giesick, Knudsen, Lockrem, Mehrens, Murphy, T. L., Patrick, Prevost, Schoonover. Total 11.

Absent or not voting: Asbjornson, Bradley, Dye, Forester, Hall, Mather, Murphy, J. E., Norman, Selstad, Watt. Total 10.

Excused: Edland, Fitzgarrald, Kvaalen, Laas, McKittrick, Olson. Total 6.

MESSAGES FROM THE SENATE

March 26, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in, as amended, the following Extraordinary Session House Bills, title and history agreed

to, and the bills are herewith returned to the House for concurrence in Senate amendments.

Extraordinary Session House Bill No. 19, introduced by Kvaalen, et al.

Extraordinary Session House Bill No. 24, introduced by Patrick, et al.

Extraordinary Session House Bill No. 26, introduced by Haines.

Extraordinary Session House Bill No. 27, introduced by Dye, et al.

Extraordinary Session House Bill No. 28, introduced by Asbjornson, et al.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 26, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three times and passed Extraordinary Session Senate Bill No. 6, introduced by Constitutions, Elections and Federal Relations, title and history agreed to and the bill is herewith transmitted to the House for concurrence.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 26, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the Joint Conference Committee report on Senate Amendments to Extraordinary Session House Bill No. 3.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary House Resolution No. 6, introduced by Baeth, Shelden. A Resolution of the House of Representatives of the State of Montana asking the Forest Service to Consider Constructing a bridge on the Deep Creek Road at Cherry Creek in Lincoln County, Montana. Referred to Committee on Rules and Journal.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 31 do pass.

That Extraordinary Session House Joint Resolution No. 11 do pass.

That Senate Amendments to Extraordinary Session House Bill No. 24 be not concurred in.

That Senate Amendments to Extraordinary Session House Bill No. 26 be not concurred in.

That Senate Amendments to Extraordinary Session House Bill No. 27 be not concurred in.

That Senate Amendments to Extraordinary Session House Bill No. 28 be not concurred in.

That Senate Amendments to Extraordinary Session House Bill No. 19 be not concurred in.

That the Committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the Speaker appoint a Free Conference Committee to meet with a like Free Conference Committee from the Senate on Extraordinary Session House Bill No. 24. Motion carried.

Harrison moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate on Extraordinary Session House Bill No. 26. Motion carried.

Harrison moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate on Extraordinary Session House Bill No. 27. Motion carried.

Harrison moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate on Extraordinary Session House Bill No. 28. Motion carried.

Harrison moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate on Extraordinary Session House Bill No. 19. Motion carried.

The Speaker appointed the following committees:

On Extraordinary Session House Bill No. 19: Himsl, Chairman; Swan, Prevost.

On Extraordinary Session House Bill No. 24 Patrick, Chairman; Lund, Gerke.

On Extraordinary Session House Bill No. 26: Haines, Chairman; Keller, Jackson.

On Extraordinary Session House Bill No. 27: Dye, Chairman; Glenen, Kosena.

On Extraordinary Session House Bill No. 28: Asbjornson, Chairman; Spilde, Aspevig.

Harrison moved that the House suspend the Rules to allow Extraordinary Session House Bill No. 31 and Extraordinary Session House Joint Resolution No. 11 to be placed on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Extraordinary Session House Bill No. 31 was passed by the following vote:

Ayes: Anderson, Asbjornson, Baeth, Bardanouve, Bradley, Brown, Christiansen, Cox, Darrow, Dye, Fasbender, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Jackson, Johnston, Kendall, Kosena, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, McGrath, Marbut, Murphy, T. L., Norman, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, Swanberg, Towe, Warfield, Watt, Weeding, Yardley, Zimmer, Zody, Mr. Speaker. Total 53.

Noes: Aber, Ainsworth, Bennett, Brand, Burnett, Campbell, Clemow, Devine, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Forester, Giesick, Hemstad Hodges, Keller Kolstad, Lockrem, Lundgren, Lynch, McNamer, Marks, Mather, Mehrens, Menahan, Murphy, J. E., Nichols, Perry, Prevost, Selstad, Smith, C. M., Smith, E. B., Snortland, Spilde, Staigmiller, Swan, Ulmer, Whitney, Wolf, Worden. Total 42.

Absent or not voting: Aspevig, Knudsen, Sverdsten. Total 3.

Excused: Edland, Fitzgarrald, Kvaalen, Laas, McKittrick, Olson. Total 6.

Extraordinary Session House Joint Resolution No. 11 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Eggebrecht, Ellerd, Fagg, Fasbender, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Kolstad, Kosena, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Mather, Mehrens, Menahan, Murphy, T. L., Nichols, Norman, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, E. B., Snortland, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 80.

Noes: Aber, Anderson, Burnett, East, Falkenstern, Hemstad, Keller, Lien, Marks, Murphy, J. E., Parrish, Patrick, Smith, C. M., Spilde, Ulmer, Whitney, Wolf. Total 17.

Absent or not voting: Knudsen. Total 1.

Excused: Edland, Fitzgarrald, Kvaalen, Laas, McKittrick, Olson. Total 6.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session Senate Bill No. 6, introduced by Constitution, Elections and Federal Relations. A bill for an act entitled: "An Act to amend Chapter 296, Laws of Montana, 1971, relating to calling a Constitutional Convention: By changing the date of the Special Primary Election; by providing for the Secretary of State to certify to the Registrars the name and description of each person nominated; by amending provisions for schedule of legislation; by amending provisions to grant leave for public employees elected as delegates, amending provisions for appointing members and filling vacancies on Constitution Convention Commission;

restating the function of said Commission; deleting provisions permitting the Commission to accept and expend private funds; repealing Subsections (3), (11) of Section 20, Chapter 296, Session Laws of 1971; amending provisions for appropriations; providing an automatic repealer and providing an immediate effective date." Referred to Committee on Constitutional Convention.

REPORTS OF STANDING COMMITTEES

March 27, 1971

Mr. Speaker: We, your Committee on Constitutional Convention, having had under consideration Extraordinary Session Senate Bill No. 6, respectfully report as follows: That Extraordinary Session Senate Bill No. 6 be amended

Murphy moved that the House suspend Rules and consider the amendments read in full. Motion carried.

Be amended in the title on page 1, line 9, after the word "Nominated;" by inserting the following new material: "By Providing That the Convention May Remain In Session As Long As Necessary;" and

Be further amended in the title on page 1, line 13, after the word "Function" by inserting the words: "And Duties", and

Be further amended on page 1 by adding a new section 1 after the enacting clause on line 21 to read as follows: "Section 1. Chapter 296, Laws of Montana, 1971, is Amended to Read As Follows:," and

Be further amended on page 1, line 22, by adding quotation marks before the "Section 1.," and

Be further amended on page 5, section 7, starting with line 13 in subsection (6), through and including subsection (7) on line 22, by striking the material contained therein in its entirety, and inserting in lieu thereof the following material after the word "convention" on line 12: " , which may recess from time to time, shall then remain in session as long as necessary.", and

Be further amended in Section 20, subsection (1), page 11, line 22, after the word "appointed" by adding the following new material: "for a term ending upon sine die adjournment of the constitutional convention", and

Be further amended in section 20, subsection (5), page 12, line 25, after the word "may" by striking the following material: "[appoint a director and fix his salary and compensation]" and inserting in lieu thereof the following new material "employ and fix the compensation and duties of necessary staff", and

Be further amended in section 21, subsection (1), page 15, line 4, after the word "constitutional" by striking the word "[study]" and inserting in lieu thereof the word "convention", and

Be further amended in section 21, subsection (2), page 15, line 11, before the word "commission" by striking the word "[study]" and inserting in lieu thereof the word "convention", and

Be further amended in section 24, on page 15, line 29, after the date "1973" by adding quotation marks, and

Be further amended on page 15, starting with line 30, by adding the following new material: "Section 2. If any part of this act shall be declared invalid or unconstitutional, it shall not affect the validity of any

other part of this act. Section 3. This act is effective on its passage and approval. Section 4. This act is repealed effective June 30, 1973."

And as amended, be concurred in.

(Material in brackets denotes canceled type.)

MURPHY, Chairman

Report adopted.

The Speaker appointed the following unofficial Special Committee to confer with a like committee from the Senate on wording of Extraordinary Session House Bills Nos. 19, 24, 26, 27, 28: Mather, Chairman; Nichols, Robbins.

MOTIONS AND RESOLUTIONS

Harrison reported that the Free Conference Committee on Extraordinary Session Senate Bill No. 5 was unable to reach agreement, and moved that the Speaker discharge this committee and appoint a new Free Conference Committee to confer with a like committee from the Senate on Extraordinary Session Senate Bill No. 5. Motion carried.

The Speaker appointed the following committee: Scott, Chairman; Mather, Hall.

Harrison moved that the House recess until 2:00 p.m. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 27, 1971

Mr. Speaker We, your Committee on Long Range Building Program, having had under consideration Extraordinary Session House Joint Resolution No. 12, respectfully report as follows: That Extraordinary Session House Joint Resolution No. 12 do pass

HIMSL, Chairman

Report adopted.

March 27, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary Session House Bill No. 32, respectfully report as follows: That Extraordinary Session House Bill No. 32 be amended.

Ulmer moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended in the title on page 1, line 8 of the bill, following the words: "from the" by striking the words: "[tax on]" and inserting in lieu thereof the words: "sales of", and

Be further amended on page 2, section 2, subsection (c), line 3, after the word "elsewhere" by adding the following new material: "and any person, firm or corporation holding a valid retail liquor license", and

Be further amended on page 2, section 4, line 28, after the word "retail", by adding the following new material: "except holders of valid retail liquor licenses," and

Be further amended on page 4, line 3, following "1947" by inserting the following new material: ", but in no case shall it exceed fifty dollars (\$50)", and

Further amend on page 4, section 7, line 4, after the word "the" by striking the words "[tax imposed on]" and inserting the following new material: "sales of"

(Material in brackets denotes canceled type.)

And as so amended, do pass.

ULMER, Chairman

Ulmer moved for the adoption of the committee report.

As a substitute motion, Giesick moved that Extraordinary Session House Bill No. 32 be laid on the table. Motion failed.

The committee report was adopted.

SPECIAL ORDER OF BUSINESS

Senator William Roth, United States Senator from Delaware, was introduced and spoke briefly from the rostrum.

MESSAGES FROM THE SENATE

March 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a Free Conference Committee on House Bill No. 19.

Senator Bertsche, Chairman; Senator Keenan, Senator Moritz.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a Free Conference Committee on House Bill No. 24.

Senator Bollinger, Chairman; Senator McGowan, Senator Deschamps.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a Free Conference Committee on House Bill No. 26.

Senator McKeon, Chairman; Senator Mitchell, Senator Hibbard.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a free Conference Committee on House Bill No. 27.

Senator Boylan, Chairman; Senator Sorensen, Senator Bennett.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Senate members to a Free Conference Committee on House Bill No. 28.

Senator Thiessen, Chairman; Senator Vainio, Senator Mackay.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow Extraordinary Session Senate Bill No. 6 to be placed on Second Reading this day. Motion carried

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session Senate Bill No. 6 be concurred in.

That the Committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow Extraordinary Session Senate Bill No. 6 to be placed on Third Reading this day. Motion carried.

THIRD READING OF SENATE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session Senate Bill No. 6 was concurred in by the following vote:

Ayes Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bar-

danouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Ellerd, Fagg, Falkenstern, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kosena, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, Murphy, J. E., Murphy, T. L., Nichols, Norman, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Smith, E. B., Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Fasbender, Knudsen, Parrish, Smith, C. M., Weeding, Zimmer. Total 6.

Excused: Edland, Fitzgarrald, Kolstad, Kvaalen, Laas, McKittrick, Olson. Total 7.

Harrison moved that the House recess until 4:30 p.m. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 27, 1971

Mr. Speaker: We, your Committee on Bills beg leave to report the following bills correctly engrossed: Extraordinary Session House Bill No. 31, Extraordinary Session House Joint Resolution No. 11.

MARKS, Chairman

MESSAGES FROM THE SENATE

March 27, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in Extraordinary Session House Bill No. 12, introduced by Christiansen, et al, title and history agreed to, and the bill is returned herewith to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 27, 1971

I am directed by the Senate to inform your Honorable Body that the original Conference Committee on House Amendments to Extraordinary Session Senate Bill No. 5, has been discharged and a Free Conference Committee was appointed by the President.

The following Senate members were appointed: Senator Sheehy, Chairman; Senator Gilfeather, Senator Turnage.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read the first time, and assigned to committee:

Extraordinary Session House Resolution No. 7, introduced by Schoonover, Fleming, Bardanouve, Gunderson, Christiansen, Lynch, Lee, Lombardi, Kendall, Yardley, Towe, Murphy, T. L., Baeth, Shelden, Healy, Menahan, Mehrens, Eggebrecht, Brand, Harper, Watt, Hall, Robbins, Kosena, Staigmiller, Weeding, Devine, Swanberg, Zody, Quilici, Zimmer, Bradley, Prevost, Lien, Hodges, Gerke, Greely, Jackson, Norman, Johnston. A Resolution of the House of Representatives of the State of Montana supporting United States Senate Bill 1380, amending the Railroad Passenger Service Act of 1970 to require railroads to return lands received as a grant from the Federal Government in return for discontinuance of passenger or freight services. Referred to Committee on Rules and Journal.

Harrison moved that the House adjourn until 10:00 a.m., March 29, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

TWENTY-SECOND EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 29, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Brand, Kolstad, Schoonover, Sverdsten, Weeding, Wolf, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Twentieth Extraordinary Session Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

March 29, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: Extraordinary Session House Bill No. 32, Extraordinary Session House Joint Resolution No. 12.

MARKS, Chairman

March 27, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session House Bill No. 3.

MARKS, Chairman

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Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session House Bill No. 12.

MARKS, Chairman

I have examined Extraordinary Session House Bill No. 3, introduced by me, and find the same to be correct.

BARDANOUE

I have examined Extraordinary Session House Bill 12, introduced by me, and find the same to be correct.

CHRISTIANSEN

The Speaker signed the following bills in open session: Extraordinary Session House Bills Nos. 3, 12.

March 29, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House Attaches be removed from the payroll effective March 28, 1971.

Carol Bossing, Page

Douglas Diehl, Page

Paul Jezick, Runner

SPILDE, Chairman

Report adopted.

March 29, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Extraordinary Session House Resolution No. 7, find that Extraordinary Session House Resolution No. 7 is not within the scope of the Governor's call.

HARRISON, Chairman

Report adopted.

March 29, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Extraordinary Session House Resolution No. 6, find that Extraordinary Session House Resolution No. 6 is not within the scope of the Governor's call.

HARRISON, Chairman

Report adopted.

March 27, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Joint Rule 6-1, respectfully report as follows: That Joint Rule 6-1

Be amended in subsection (1) so that the second to last sentence of said subsection reads as follows:

"Final action shall be taken on the Committee of the Whole report."

HARRISON, Chairman

Report adopted.

March 26, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Joint Rule 5-4, respectfully report as follows: That Joint Rule 5-4

Be amended so that the first sentence of said rule reads as follows:

"A member who voted on the prevailing side of a question may, on the day the vote was taken or on the next [legislative] day the house in which the action was taken is in session, move to reconsider the question."

(Material in brackets denotes canceled type.)

HARRISON, Chairman

Report adopted.

March 26, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Joint Rule 2-4, respectfully report as follows: That Joint Rule 2-4 be amended as follows:

"Lobbying on the floor of the Senate or House of Representatives is prohibited during a session and within [one half] one hour prior to the commencement of a session and within one-half hour after recess or adjournment."

(Material in brackets denotes canceled type.)

HARRISON, Chairman

Report adopted.

March 26, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Joint Rule 2-3, respectfully report s follows: That Joint Rule 2-3 be stricken in its entirety and that the subsequent rules in Chapter Two be renumbered accordingly.

HARRISON, Chairman

Report adopted.

March 27, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration House Rules, finds that a new House Rule (H 1-7) be adopted.

"Only the following persons may be admitted to the floor of the House of Representatives during sessions: executive officers, legislators, legislative employees, reporters, guests of members of the House, and former legislators who are not registered lobbyists."

HARRISON, Chairman

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Ulmer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 32 be amended in section 7 by striking out in line 7 the words and figures "twenty-five percent (25%)" and "seventy-five percent (75%)" and inserting in lieu thereof the words and figures "fifty percent (50%)" and "fifty percent (50%)",

And be further amended in section 7, page 4, line 8, after the word "towns" by adding the following new material: "and counties", and

Be further amended in section 7, page 4, line 9, after the word "each" by inserting the following word: "county", and

Be further amended in section 7, page 4, line 10, after the word "all" by inserting the following words: "counties and", and

Be further amended in section 7, page 4, line 19, after the word "towns" by inserting the following words: "and counties", and

As amended, be passed for the day.

That Extraordinary Session House Joint Resolution No. 12 do pass.

That Extraordinary Session Senate Joint Resolution No. 1 be concurred in.

That the Committee rise and report and beg leave to sit again.

ULMER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Giesick moved that Extraordinary Session House Bill No. 32 be referred to the Committee on Ways and Means. Motion failed.

Watt moved that Extraordinary Session House Bill No. 33 be recalled from the Committee on Ways and Means and placed on Second Reading. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Yardley, Zimmer, Zody. Total 48.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 54.

Absent or not voting: Marbut, Weeding. Total 2.

Excused: None.

Paired: Towe, aye; Kolstad, no. Hall, Aye; Wolf, No. Brand, Aye; Sverdsten, No. Schoonover, Aye; Ainsworth, No.

Watt moved that Extraordinary Session House Bill No. 34 be taken from the Committee on Ways and Means and placed on Second Reading. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick,

Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Yardley, Zimmer, Zody. Total 48.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Perry, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 54.

Absent or not voting: Marbut, Weeding. Total 2.

Excused: None.

Paired: Towe, Aye; Kolstad, No. Hall, Aye; Wolf, No. Brand, Aye; Sverdsten, No; Schoonover, Aye; Ainsworth, No.

Harrison moved that the Rules be suspended to allow Extraordinary Session House Joint Resolution No. 12 and Extraordinary Session Senate Joint Resolution No. 1 to be placed on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session House Joint Resolution No. 12 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosen, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmiller, Swan, Swanberg, Towe, Warfield, Watt, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Ellerd, Hemstad, McNamer, Patrick, Perry, C. Smith, Spilde, Ulmer, Whitney. Total 9.

Absent or not voting: Ainsworth. Total 1.

Excused: Brand, Kolstad, Schoonover, Sverdsten, Weeding, Wolf. Total 6.

THIRD READING OF SENATE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session Senate Joint Resolution No. 1 was concurred in by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Gerke, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson,

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Johnston, Keller, Kendall, Knudsen, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, E. Smith, Snortland, Staigmillier, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Forester, Kvaalen, Lien, McNamer, Patrick, C. Smith, Spilde, Whitney. Total 8.

Absent or not voting: Ainsworth, Giesick. Total 2.

Excused: Brand, Kolstad, Schoonover, Sverdsten, Weeding, Wolf. Total 6.

Harrison moved that the House recess until 3:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

March 29, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: Extraordinary Session House Joint Resolution No. 12.

MARKS, Chairman

March 29, 1971

Mr. Speaker: We, your Bills Committee, to whom was referred Extraordinary Session House Bills Nos. 3, 12, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 12:40 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

March 29, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Mercedes G. Hanson be changed from Proofreader to Runner, effective March 29, 1971.

Report adopted.

SPILDE, Chairman

MESSAGES FROM THE SENATE

March 29, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the amendments to the following Joint Rules:

Joint Rule 6-1
5-4
2-4
2-3

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committee:

Extraordinary Session House Bill No. 38, introduced by Lynch, Lee, Mehrens, Prevost, Harper, Norman, Quilici, Menahan, Lombardi, Kosena, Healy: A bill for an act entitled: "An act imposing a tax of five percent (5%) on the gross earnings of railroads operating in the State of Montana and earmarking the revenue therefrom for substitute passenger transportation for communities not served by Railpax and designating the Public Service Commission to administer the provisions." Referred to Committee on Ways and Means.

Extraordinary Session House Bill No. 39, introduced by Ulmer: A bill for an act entitled: "An act to amend Chapter 333, Session Laws of 1971, in order to clarify the effective date." Referred to Committee on Ways and Means.

Harrison moved that the House adjourn until March 30, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

TWENTY-THIRD EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 30, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Brand, Campbell, Kolstad, McKittrick, Marks, Schoonover, Sverdsten, Weeding, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Twenty-Second Extraordinary Session Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

MESSAGES FROM THE GOVERNOR

March 29, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed the following measures: Extraordinary House Bill No. 15, and Extraordinary House Joint Resolutions Nos. 1, 2, 3, 5, 6, 7, 8 and 9.

Sincerely,

FORREST H. ANDERSON
Governor

March 30, 1971

Honorable Thomas Judge
President of the Senate
State Capitol
Helena, Montana

Honorable James P. Lucas
Speaker of the House
State Capitol
Helena, Montana

Gentlemen:

In addition to those subjects specified in my Proclamation of March 4, 1971, convening the Forty-Second Legislative Assembly in Extraordinary Session, I hereby request that the Forty-Second Legislative Assembly, convened in Extraordinary Session, consider and act upon the subject hereinafter specified:

Amendments to Title 50, Chapter 7, R.C.M., 1947, which relates to the location and records of mining and millsite claims.

Sincerely,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

March 29, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day recommended that Extraordinary Session House Bill No. 31, introduced by Marbut, Bardanouve, and Dye, be not concurred in.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

REPORTS OF SELECT COMMITTEES

March 29, 1971

To the President of the Senate and Speaker of the House:

We, your Second Free Joint Conference Committee on Extraordinary Session Senate Bill No. 5 respectfully report and recommend as follows:

That we met this day and considered House amendments to such bill and hereby recommend:

That the Senate accede to paragraphs 1, 2 and 3 of the House amendments to such bill as shown on House Committee on Judiciary Report dated March 23, 1971.

That the House recede from its amendments contained in paragraph 4 of such House Committee Report.

That said Extraordinary Session Senate Bill No. 5 be further amended in Section 23 thereof, on page 25, line 8 of the bill approved by the House Committee on Judiciary by omitting the word "additional".

That said Extraordinary Session Senate Bill No. 5 be further amended

in Section 10, page 15, line 1, by omitting the word "not"; and by omitting the word "or" in said line and inserting in lieu thereof the word "and".

And recommend that such report be adopted.

For the House: SCOTT
MATHER
HALL

For the Senate: SHEEHY
GILFEATHER
TURNAGE

Scott moved for adoption of the committee report.

The report was adopted by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McNamer, Marbut, Mehrens, Menahan, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Perry, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 89.

Noes: Lockwood, Mather, J. Murphy, Towe, Ulmer. Total 5.

Absent or not voting: Bardanouve, Ellerd, Zimmer. Total 3.

Excused: Brand, Campbell, Kolstad, McKittrick, Marks, Schoonover, Sverdsten. Total 7.

MOTIONS AND RESOLUTIONS

Ulmer moved that Extraordinary Session House Bill No. 38 be taken from Committee on Ways and Means and be referred to Rules committee. Motion carried.

Harrison moved that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 30, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary Session House Bill No. 39, respectfully report as follows: That Extraordinary House Bill No. 39 be amended.

Be amended in Section 1 of the original and introduced bill, page 1, lines 12 and 13, following "Section 1." by deleting the following material: "[Chapter 333, Session Laws of 1971, is amended to read as follows.]", and inserting in lieu thereof the following new material: "Section 84-1501, R.C.M., 1947 as amended by Chapter 333, Session Laws of 1971, is amended to read as follows:", and

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Further amend in Section 1, page 2, line 12 following the word "years" by inserting the following new word "ending"

And as amended, do pass.

ULMER, Chairman

Report adopted.

MESSAGES FROM THE SENATE

March 30, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the Second Free Conference Committee amendments to Extraordinary Session Senate Bill No. 5, and the Conference Committee was discharged.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

March 30, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Extraordinary Session House Bill No. 29, introduced by the Committee on Legislative Modernization was this day read third time and passed, title and history agreed to, and the same is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

On point of order, Giesick contended that Extraordinary Session House Bill No. 32 was not properly before the House, because a Fiscal note was not available to the members.

Ulmer moved that the House suspend the Rules and consider Extraordinary Session House Bill No. 32 on Second Reading this day. Motion carried.

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Swan in the Chair. Committee arose.

House resumed.

Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 32 be amended in Section Seven, page 4, lines 4 through 20, inclusive, by striking the section in its entirety and inserting in lieu thereof the following:

"Section 7. The revenue from the sale of each bottle of wine sold to retailers under the provisions of this act, less excise taxes and costs of sale, shall be deposited in the following manner: fifty percent (50%) to the general fund; thirty-five percent (35%) to incorporated cities and towns,

distributed in the direct proportion that the population of each city and town bears to the total population of all incorporated cities and towns as shown in the 1970 federal census, provided that for cities and towns incorporated after 1970, the population thereof shall be determined as of the date of incorporation thereof as evidenced by the certificate of the incorporating officials of that city or town; and fifteen percent (15%) to the several counties of the state, distributed in the direct proportion that the population of each county bears to the total population of the state as shown by the 1970 federal census. If a city or town disincorporates, it shall cease to receive any funds under this section. All funds received by cities, counties, or towns under this section shall be expended for law enforcement."

And as amended, do not pass.

That the Committee rise and report and beg leave to sit again.

SWAN, Chairman

Swan moved for adoption of the Committee of the Whole report.

As a substitute motion, Ulmer moved that Extraordinary Session House Bill No. 32 be segregated from the Committee of the Whole report, and as amended, the Committee of the Whole report be adopted.

Giesick asked for a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Bennett, Bradley, Brown, Burnett, Christiansen, Darrow, Dye, Fagg, Fasbender, Fitzgarraird, Fleming, Forester, Gerke, Glennen, Greely, Haines, Hall, Harrison, Himsl, Keller, Lockrem, Lund, McNamer, Marbut, Mather, J. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Scott, Selstad, Swanberg, Towe, Ulmer, Warfield, Whitney, Wolf, Worden, Yardley. Total 45.

Noes: Baeth, Bardanouve, Clemow, Cox, East, Edland, Eggebrecht, Ellerd, Falkenstern, Giesick, Gunderson, Harper, Healy, Hemstad, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lundgren, Lynch, McGrath, Marks, Mehrrens, Menahan, T. Murphy, Nichols, Perry, Prevost, Quilici, Robbins, Shelden, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Watt, Weeding, Zimmer, Zody, Mr. Speaker. Total 51.

Absent or not voting: Aspevig, Devine. Total 2.

Excused: Brand, Campbell, Kolstad, McKittrick, Schoonover, Sverdsten. Total 6.

Thereupon, the Committee report was adopted.

MOTIONS AND RESOLUTIONS

Greely moved that the House adjourn sine die. He requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Brown, Devine, Gerke, Greely, Hall, Perry. Total 6.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Burnett, Christiansen, Clemow, Cox, Darrow, Dye, East, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarraird, Fleming, Forester, Giesick, Glennen, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McNamer, Marbut, Marks, Mather,

Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Sheldon, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 89.

Absent or not voting: Aspevig, Lundgren, Nichols. Total 3.

Excused: Brand, Campbell, Kolstad, McKittrick, Schoonover, Sverdsten. Total 6.

Giesick, having voted on the prevailing side in adopting an adverse Committee of the Whole Report on Extraordinary Session House Bill No. 32, moved that the House reconsider its action.

Harrison moved that the House recess until 3:00 p.m., this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

The Speaker announced that the members of the House serving on the Summit Committee were discharged, including the Speaker, except for Dye who will continue to serve along with the newly appointed members, namely: Cox and J. Murphy.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session House Bill No. 29.

MARKS, Chairman

I have examined Extraordinary Session House Bill No. 29, introduced by me, and find the same to be correct.

DARROW

The Speaker signed in open session the following bills: Extraordinary Session House Bill No. 29, Extraordinary Session Senate Bill No. 6, and Extraordinary Session Senate Joint Resolution No. 1.

The Speaker announced that the House would stand at ease.

House resumed. Mr. Speaker in the Chair.

Hall moved for call of the House. Sufficient seconds failed to arise. Call of the House was not ordered.

Hall moved that the House adjourn sine die. Motion failed.

Hall again moved for call of the House. Sufficient seconds failed to arise. Call of the House was not ordered.

Harrison moved that the House recess for one-half hour. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session House Resolution No. 8, introduced by Legislative Modernization Committee. A Resolution of the House of Representa-

tives of the State of Montana regarding storage and use of furniture and supplies belonging to the House of Representatives. Referred to Committee on Legislative Modernization.

Harrison moved that the House adjourn until 9:00 a.m., March 31, 1971. Motion carried.

House adjourned.

ZACK STEVENS, Chief Clerk.

JAMES P. LUCAS, Speaker

TWENTY-FOURTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 31, 1971

House convened, pursuant to adjournment, at 9:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Brand, Campbell, Kostad, Schoonover, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the twenty-third extraordinary session legislative day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

Harrison moved that the House recess until 10:00 a.m. this day Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 31, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: Extraordinary Session House Bill No. 39.

MARKS, Chairman

March 31, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred Extraordinary Session House Bill No. 29, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day at the hour of 9:05 o'clock, a.m., delivered to the Governor for his approval.

MARKS, Chairman

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dye moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Scott in the Chair. Committee arose.

HOUSE JOURNAL—EXTRAORDINARY SESSION
FORTY-SECOND LEGISLATIVE ASSEMBLY

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 39 do pass.

That the Committee rise and report and beg leave to sit again.

SCOTT, Chairman

Report adopted.

SPECIAL ORDER OF BUSINESS

Senators Manning and Lynch presented an explanation of the Reapportionment Plan in Extraordinary Session Senate Bill No. 1.

Representatives Gunderson and Towe presented an explanation of the Reapportionment Plan in Extraordinary Session House Bill No. 37.

Representative Fagg presented an explanation of the Reapportionment Plan in Extraordinary Session House Bill No. 20.

Representative Weeding presented an explanation of the Weeding Plan for Reapportionment.

Representative Kolstad explained the District Plan for Reapportionment.

Representative Zody explained the House Bill plan for Reapportionment.

The Speaker signed in open session Extraordinary Session Senate Bill No. 5.

MOTIONS AND RESOLUTIONS

Hall, having voted on the prevailing side in adopting a favorable Committee of the Whole report on Extraordinary Session House Bill No. 39, moved that the House reconsider its action. Motion carried.

Hall moved that Extraordinary Session House Bill No. 39 be placed on Second Reading. Motion carried.

REPORTS OF STANDING COMMITTEES

March 31, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: Extraordinary Session House Bill No. 39.

MARKS, Chairman

Harrison moved that the House recess until 1:30 p.m. this day. Motion carried.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE GOVERNOR

March 31, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed the following measures:

Extraordinary House Bills Nos. 3 and 12.

Sincerely,

FORREST H. ANDERSON
Governor

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Scott in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 39 be amended:

Amend Section 1, page 2, line 11 of Extraordinary House Bill No. 39 by adding after the word "for" the underlined word "all"

And further amend on line 12, page 2, by deleting the underlined word "and" and inserting the underlined word "or" in lieu thereof,

And further amend by adding a new section, to be numbered Section 2, immediately following Section 1 of the present bill, reading as follows:

"Section 2. The rate set forth in this act shall be effective as to all taxable years ending on or after February 28, 1971, whether on the calendar or fiscal year basis."

And further amend by renumbering present Section 2 as Section 3.

And as amended, do pass.

That the Committee rise and report and beg leave to sit again.

SCOTT, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow Extraordinary Session House Bill No. 39 to be placed on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

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Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bradley, Brown, Burnett, Christiansen, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Glennen, Greely, Haines, Hall, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, Murphy, T. L., Nichols, Norman, Olson, Parrish, Patrick, Perry, Nestead, Prevost, Quilici, Robbins, Scott, Sheldon, Smith, C. M., Smith, E. B., Snortland, Spilde, Staigmillier, Sverdsten Swan, Swanberg Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Bennett, Clemow, Fagg, Giesick, Gunderson, Harper, Knudsen, Lockrem, Mather, Murphy, J. E., Selstad. Total 11.

Excused: Brand, Campbell, Kolstad, Schoonover. Total 4.

REPORTS OF STANDING COMMITTEES

March 31, 1971

Mr. Speaker: We, your committee on Legislative Modernization, having had under consideration Extraordinary Session House Resolution No. 8, respectfully report as follows. That Extraordinary Session House Resolution No. 8 be adopted.

DARROW, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and assigned to committee:

Extraordinary Session House Bill No. 40, introduced by J. Murphy, Snortland, Dye, Glennen, McNamer, Keller. A bill for an act entitled: "The 1971 Montana Revenue Act; Levying Sales and Use Tax to support the School Foundation Program and State Government; providing for the administration thereof, and for penalty in case of violation of its provisions; increasing income tax surtax to twenty percent (20%) by amending Section 84-4902.1, R.C.M. 1947, and providing for an effective date." Referred to Committee on Ways and Means.

Harrison moved that the House adjourn until 9:00 a.m., April 1, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

TWENTY-FIFTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
April 1, 1971

House convened, pursuant to adjournment, at 9:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Knudsen, Lien, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Twenty-Fourth Extraordinary Session Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

April 1, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: Extraordinary Session House Resolution No. 8.

BURNETT

April 1, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: Extraordinary Session House Bill No. 39.

BURNETT

March 31, 1971

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration Extraordinary Session Senate Bill No. 1, respectfully report as follows: That Extraordinary Session Senate Bill No. 1 be amended

Fagg moved that the Rules be suspended and the amendments be considered read at length. Motion carried.

Be amended on page 2, section 1, line 27 of the approved bill by deleting the figure "[1]" and inserting in lieu thereof the figure "2", and

Be further amended on page 2, section 1, line 27 of the approved bill after the word "Lincoln" by inserting the following punctuation and words " , Sanders, Mineral", and

Be further amended on page 2, section 1, line 28 of the approved bill by deleting the material in its entirety, and

Be further amended in section 4, lines 4 through and including line 30 on page 4 and lines 1 through and including line 16 on page 5 of the approved bill by deleting the material contained therein in its entirety and inserting in lieu thereof the following material:

1	2	Carter, Fallon, Wibaux, Prairie, Powder River
2	2	Roosevelt, McCone
3	3	Richland, Dawson
4	3	Valley, Daniels, Sheridan
5	3	Petroleum, Garfield, Rosebud, Treasure, Big Horn
6	2	Custer
7	13	Yellowstone
8	2	Phillips, Blaine
9	3	Chouteau, Judith Basin, Fergus
10	1	Wheatland, Golden Valley, Musselshell
11	2	Carbon, Stillwater, Sweetgrass
12	3	Jefferson, Broadwater, Meagher, Park
13	5	Gallatin
14	12	Cascade
15	3	Hill, Liberty
16	3	Glacier, Toole

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17	1	Pondera
18	1	Teton
19	5	Lewis and Clark
20	1	Powell
21	3	Granite, Deer Lodge
22	6	Silver Bow
23	2	Beaverhead, Madison
24	2	Ravalli
25	9	Missoula
26	2	Lake
27	6	Flathead
28	4	Lincoln, Sanders, Mineral

And as so amended, be concurred in.

FAGG, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow Extraordinary Session Senate Bill No. 1 to be considered on Second Reading this day. Motion carried.

Harrison moved that the House recess until 10:30 this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

April 1, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary Session House Bill No. 40, respectfully report as follows: That Extraordinary Session House Bill No. 40 be amended

Ulmer moved that the House suspend the Rules and consider the amendments read in full. Motion carried.

Be amended in Section 20 of the original and introduced bill, page 11, lines 22 through 28 by deleting the material in its entirety and inserting in lieu thereof the following new material: "(c) When the sale involves a fraction of a dollar, the retailer shall collect from the consumer the tax hereby imposed on that portion of the sales price by adding the tax to the sales price upon the following schedule:

1. \$.01 to \$.38 \$0
 2. .38 to 1.37 .01
 3. 1.38 to 2.37 .02
- Etc."

And further amend in subsection m, page 24, line 17 following the word "of" by deleting the following words and figures "[ten cents (\$.10)]", and inserting in lieu thereof the following words and figures "thirty-five five cents (\$.35)",

And further amend in subsection m, page 24, line 19 following the word "than" by deleting the following words and figures "[fourteen cents

(\$14)]", and inserting in lieu thereof the following words and figures "thirty-eight cents (\$.38)"

And as amended, do pass.

ULMER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and consider Extraordinary Session House Bill No. 40 on Second Reading this day and that it be placed at the top of the board. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Bill No. 40 do pass.

That the Committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and consider Extraordinary Session House Bill No. 40 correctly engrossed and be placed on third reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session House Bill No. 40 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Felkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Nelstead, Scott, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 53.

Noes: Anderson, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Perry, Prevost, Quilici, Robbins, Schoonover, Shelden, E. Smith, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 50.

Absent or not voting: Parrish. Total 1.

Excused: None.

Paired: Knudsen, no; Keller aye; Weeding, no; Selstad, aye.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session House Resolution No. 8 be adopted.

That Extraordinary Session Senate Bill No. 1 be concurred in.

That the Committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

EXTRAORDINARY SESSION HOUSE RESOLUTION NO. 8

INTRODUCED BY LEGISLATIVE MODERNIZATION COMMITTEE.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REGARDING STORAGE AND USE OF FURNITURE AND SUPPLIES BELONGING TO THE HOUSE OF REPRESENTATIVES.

WHEREAS, much difficulty has been experienced in locating stored supplies and furniture belonging the House of Representatives, and

WHEREAS, some articles of furniture have not yet been located, and the use of House furniture by other state departments during the interim has caused confusion and some damage.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That all supplies belonging to the House of Representatives of the State of Montana be boxed, labeled, and stored under lock and key in the sergeant-at-arm's office, rooms 353-354, and in rooms 426 and 435, of the Capitol building.

BE IT FURTHER RESOLVED, that all furniture belonging to the House of Representatives remain in the particular offices of the House of Representatives and shall not be removed from the various offices of the House of Representatives during the interim, and all furniture belonging to the House of Representatives of the State of Montana be stencilled "House" and be imprinted "H" (for House of Representatives), room number and designation in code for each individual item.

BE IT FURTHER RESOLVED, that furniture and supplies belonging to the House of Representatives be available for the use of the Constitutional Convention, and

BE IT FURTHER RESOLVED, that the furniture of the House of Representatives shall be restored to its proper location upon sine die adjournment of the Constitutional Convention.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and consider Extraordinary Session Senate Bill No. 1 on Third Reading this day. Motion carried.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, was disposed of in the following manner:

Extraordinary Session Senate Bill No. 1 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Burnett, Campbell, Christiansen, Clemow, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fitzgarrald, Fleming, Gerke, Giesick, Gunderson, Hall, Hemstad, Himsl, Hodges, Johnston, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lundgren, McNamer, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Norman, Perry, Nelstead, Robbins, Schoonover, Scott, Shelden, C. Smith, E. Smith, Snortland, Staigmiller, Swan, Ulmer, Watt, Weeding, Whitney, Wolf, Yardley, Zimmer, Mr. Speaker. Total 61.

Noes: Bennett, Bradley, Brand, Cox, Darrow, Devine, Fagg, Fasbender, Forester, Glennen, Greely, Haines, Harper, Harrison, Healy, Jackson, Keller, Kendall, Lanthorn, Lee, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Mather, Olson, Parrish, Patrick, Prevost, Quilici, Selstad, Spilde, Sverdsten, Swanberg, Towe, Warfield, Worden, Zody. Total 40.

Absent or not voting: Brown, Nichols. Total 2.

Excused: Knudsen. Total 1.

Paired: Bennett, no; Mr. Speaker, aye.

Harrison moved that the House recess until 1:30 p.m., this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

April 1, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed and engrossed: Extraordinary Session House Bill No. 40.

MARKS, Chairman

MESSAGES FROM THE SENATE

April 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Extraordinary Session Senate Bill No. 1, and the President was authorized to appoint a Free Conference Committee and requests the House to appoint a like committee to confer on said amendments.

The President appointed the following: Senator Manning, Chairman; Senator Lynch, Senator Turnage.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

April 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the amendments to the following Joint Rules:

Joint Rule 6-1

Senate Rule S7-1

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

April 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in the following House Joint Resolution, title and history agreed to, and the said bill is herewith returned to the House.

Extraordinary Session House Joint Resolution No. 12, introduced by Lee, et al.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Ulmer moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate on Extraordinary Session Senate Bill No. 1. Motion carried.

The Speaker appointed Fagg, Lundgren, Kosena.

REPORTS OF STANDING COMMITTEES

April 1, 1971

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Extraordinary House Bill No. 38, respectfully report as follows: That the Rules Committee finds Extraordinary Session House Bill No. 38 is within the scope of the Governor's call and may be considered further by the House of Representatives.

HARRISON, Chairman

Report adopted.

MESSAGES FROM THE SENATE

April 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day passed the following Senate Bill, title and history agreed to, and the bill is herewith transmitted to the House for concurrence.

Extraordinary Session Senate Bill No. 7, introduced by Natural Resources Committee.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and assigned to committee:

Extraordinary Session Senate Bill No. 7, introduced by Natural Resources Committee: A bill for an act entitled: "An act to amend the laws relating to the location and assessment work requirements upon mining claims by amending Section 50-701 (3), R.C.M., 1947, to provide for compliance with United States mining laws and to eliminate the location requirement of sinking a discovery shaft; amending Section 50-702, R.C.M., 1947, to provide that the county clerk shall provide a copy of each certificate of location to the Department of State Lands and Investments, to change the information required on the certificate of location, and to provide that failure to record the certificate of location shall create a prima facie presumption of intent to abandon; amending Section 50-704, R.C.M., 1947, to change the information required on the affidavit of performance of annual work, to provide for group assessment work upon contiguous claims, to provide that recording of the affidavit is mandatory, to provide that the affidavit be verified, and to provide that failure to record the assessment affidavit is prima facie evidence of failure to perform such labor and that the owner has abandoned same." Referred to Committee on Environment and Resources.

The Speaker re-referred Extraordinary Session House Bill No. 38 to the Committee on Ways and Means.

Harrison moved that the House recess until 4:30 p.m., this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

April 1, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session House Joint Resolution No. 12.

MARKS, Chairman

I have examined Extraordinary Session House Joint Resolution No. 12, introduced by me, and find the same to be correct.

LEE

The Speaker signed in open session Extraordinary Session House Joint Resolution No. 12.

April 1, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Alice J. Merritt, Typist, be removed from the payroll effective April 1, 1971.

SPILDE, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and assigned to committees:

Extraordinary Session House Bill No. 41, introduced by Gunderson, Towe, Fasbender. A bill for an act entitled: "An Act to Apportion the Legislative Assembly according to the 1970 Federal Census; and repealing

Sections 43-106.1 and 43-106.2 R.C.M., 1947." Referred to Committee on Reapportionment.

Extraordinary Session House Bill No. 42, introduced by Lockrem, Cox, Lynch, Lee, Harper, Quilici, Kosena, Giesick, Darrow, Lanthorn. A Bill for an Act entitled: 'An Act to Amend Section 84-1501, 84-1502, and 84-1504, Revised Codes of Montana, 1947, making cooperative corporations subject to the corporation license tax, deductions allowed in computing income, providing for certificates of exemption." Referred to Committee on Ways and Means.

Extraordinary Session House Bill No. 43, introduced by Towe, Himsl, Marbut, Christiansen, Watt. A bill for an act entitled: "An Act amending Chapter 49, Title 84, R.C.M., 1947, to provide for the imposition of a Montana Income Tax which is equal to a percentage of the federal income tax payable on Montana taxable income; repealing Sections 84-4901, 84-4902, 84-4903, 84-4905, 84-4906, 84-4907, 84-4908, 84-4909, 84-4910, 84-4912, 84-4914, 84-4915 and 84-4917, R.C.M., 1947; and providing an effective date. Referred to Committee on Ways and Means.

REPORTS OF SELECT COMMITTEES

April 1, 1971

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee, having had under consideration House Amendments to Extraordinary Senate Bill No. 1, respectfully report and recommend as follows:

Amend Representative District 22 by striking the word "Silver" and inserting in lieu thereof the word "Silver Bow";

Amend Extraordinary Senate Bill No. 1, section 2, page 3, line 2 following the figures "11" by striking the following word and figure "and 18" and inserting in lieu thereof the following figures and words "18 and 29";

And that the House recede from paragraphs 1, 2 and 3 of the March 20, 1971, House Committee on Reapportionment amendments to Extraordinary Session Senate Bill No. 1;

Amend section 3, page 3, line 22 following the word "such" by striking the word "in";

Amend section 2, page 3, line 10 by striking the sentence starting with the word "The" and ending with the word "years." on line 14, and inserting in lieu thereof the following words, figures and punctuation: "The new senator in district 15 and 20 shall serve for a 2 year term upon his or her first election in 1972."

And that the Senate accede to the remaining House amendments except as above noted.

And as so amended be adopted.

For the Senate: MANNING
LYNCH
TURNAGE

For the House: FAGG
KOSENA
LUNDGREN

Kosena moved for adoption of the Conference Committee report. The report was adopted by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Baeth, Burnett, Campbell, Christiansen, Clemow, Dye, East, Erland, Eggebrecht, Ellerd, Falkenstern, Fاسبender, Fitzgarrald, Fleming, Gerke, Gunderson, Hall, Hemstad, Hodges, Kendall, Kosena, Kvaalen, Lockrem, Lockwood, Mehrens, Menahan, Murphy, J. E., Murphy T. L., Nichols, Norman, Olson, Nelstead, Robbins, Schoonover, Snortland, Staigmiller, Swan, Watt, Whitney, Wolf, Yardley. Total 44.

Noes: Bennett, Brand, Brown, Cox, Devine, Forester, Glennen, Greely, Haines, Harper, Harrison, Healy, Himsl, Jackson, Keller, Lee Lund, Lynch, McGrath, Marbut, Mather, Parrish, Patrick, Prevost, Selstad, Shelden, Smith, C. M., Sverdsten, Swanberg, Towe, Ulmer, Warfield, Weeding, Worden, Zimmer, Zody, Mr. Speaker. Total 37.

Absent or not voting: Ainsworth, Anderson, Bardanouve, Bradley, Darrow, Fagg, Giesick, Johnston, Knudsen, Kolstad, Laas, Lanthorn, Lombardi, Lundgren, McKittrick, McNamer, Marks, Perry Quilici, Scott, Smith, E. B., Spilde. Total 22.

Excused: Lien. Total 1.

MESSAGES FROM THE SENATE

April 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three times and concurred in the following House Bills, title and history agreed to, and the bills are herewith returned to the House.

Extraordinary Session House Bill No. 39, introduced by Ulmer.

Extraordinary Session House Joint Resolution No. 11, introduced by Quilici, et al.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

Harrison moved that the House adjourn until 10:00 a.m., April 2, 1971.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

TWENTY-SIXTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
April 2, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Anderson, Lee, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have ex-

amined the Journal for the Twenty-Fifth Extraordinary Session Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

April 2, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred Extraordinary Session House Joint Resolution No. 12, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day at the hour of 9:05 o'clock, a.m., delivered to the Governor for his approval.

MARKS, Chairman

April 1, 1971

Mr. Speaker: We, your committee on Environment and Resources, having had under consideration Extraordinary Session Senate Bill No. 7, respectfully report as follows: That Extraordinary Session Senate Bill No. 7 be concurred in.

LUNDGREN, Chairman

Report adopted.

April 1, 1971

Mr. Speaker: We, your committee on Reapportionment, having had under consideration Extraordinary Session House Bill No. 20, respectfully report as follows: That Extraordinary Session House Bill No. 20 do not pass.

FAGG, Chairman

Report adopted.

April 1, 1971

Mr. Speaker: We, your committee on Reapportionment, having had under consideration Extraordinary Session House Bill No. 37, respectfully report as follows: That Extraordinary Session House Bill No. 37 do not pass.

FAGG, Chairman

Report adopted.

MESSAGES FROM THE SENATE

April 1, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the Free Joint Conference Committee report on Extraordinary Session Senate Bill No. 1, and the committee was discharged.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved the House suspend the Rules and consider Extraordinary Session Senate Bill No. 7 on Second Reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Mather in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session Senate Bill No. 7 be concurred in.

That the Committee rise and report.

MATHER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and consider Extraordinary Session Senate Bill No. 7 on Third Reading this day. Motion carried.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, was disposed of in the following manner:

Extraordinary Session Senate Bill No. 7 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, Edland, Eggebrecht, Ellerd, Fagg, Falkenstern, Fasbender, Fitzgarrald, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, Murphy, J. E., Norman, Olson, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Staigmillar, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zody, Mr. Speaker. Total 83.

Noes: Marks, Murphy, T. L., Perry, Smith, C. M., Spilde, Wolf. Total 6.

Absent or not voting: Cox, East, Harrison, Hemstad, Knudsen, Kolstad, Lundgren, Nichols, Patrick, Selstad, Smith, E. B., Sverdsten, Zimmer. Total 13.

Excused: Anderson, Lee. Total 2.

Harrison moved that the House recess until 1:30 p.m., this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

April 2, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Extraordinary Session House Bill No. 39, Extraordinary Session House Joint Resolution No. 11.

MARKS, Chairman

I have examined Extraordinary Session House Joint Resolution No. 11, introduced by me, and find the same to be correct.

QUILICI

I have examined Extraordinary Session House Bill No. 39, introduced by me, and find the same to be correct.

ULMER

The Speaker signed the following bills in open session: Extraordinary Session Senate Bills Nos. 1, 7; Extraordinary Session House Bill No. 39; Extraordinary Session House Joint Resolution No. 11.

April 2, 1971

Mr. Speaker: We, your committee on Ways and Means, having had under consideration Extraordinary Session House Bill No. 33, respectfully report as follows: That Extraordinary Session House Bill No. 33 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the committee report.

As a substitute motion, Fasbender moved that the report be not adopted and that it be printed and placed on Second Reading.

Harrison requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose, and the motion failed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, Murphy, T. L., Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmilller, Swanberg, Towe, Watt, Weedling, Yardley, Zimmer, Zody. Total 49.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstein, Fitzgerald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, Murphy, J. E., Nichols, Olsen, Patrick, Perry, Nelstead, Scott, Selstad, Smith, C. M., Smith, E. B., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Absent or not voting: None.

Excused: None.

Paired: Lee, aye; Selstad, no.

Thereupon, the Committee report was adopted.

April 2, 1971

Mr. Speaker: We, your committee on Ways and Means, having had under consideration Extraordinary Session House Bill No. 34, respectfully report as follows: That Extraordinary Session House Bill No. 34 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the Committee report.

As a substitute motion Christiansen moved that the report be not adopted and that it be printed and placed on Second Reading.

Harrison requested a roll call vote, with Ayes and Nays spread on the Journal. Sufficient seconds arose, and the motion failed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, Murphy, T. L., Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 49.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, Murphy, J. E., Nichols, Olson, Patrick, Perry Nelstead, Scott, Selstad, Smith, C. M., Smith, E. B., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Absent or not voting: None.

Excused: None.

Paired: Lee, aye; Selstad, no.

Thereupon, the Committee report was adopted.

April 2, 1971

Mr. Speaker: We, your committee on Ways and Means, having had under consideration Extraordinary Session House Bill No. 43, respectfully report as follows: That Extraordinary Session House Bill No. 43 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the Committee report.

As a substitute motion, Towe moved that the report be not adopted and that it be printed and placed on Second Reading.

Towe requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose, and the motion failed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, Murphy, T. L., Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 51.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, Murphy, J. E., Nichols, Olson, Patrick, Perry Nelstead, Scott, Selstad, Smith, C. M., Smith, E. B., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 53.

Absent or not voting: None.

Excused: None.

Paired: Lee, aye; Selstad, no; Zody, aye; Aber, no.

Thereupon, the Committee report was adopted.

MOTIONS AND RESOLUTIONS

Harrison, having voted on the prevailing side in adopting an adverse committee report on Extraordinary Session House Bill No. 33 this day, moved that the House reconsider its action.

As a substitute motion, Fasbender moved that the motion to reconsider be laid on the table. Motion failed.

The motion to reconsider failed.

Harrison, having voted on the prevailing side in adopting an adverse committee report on Extraordinary Session House Bill No. 34 this day, moved that the House reconsider its action. Motion failed.

The motion to reconsider failed.

Harrison, having voted on the prevailing side in adopting an adverse committee report on Extraordinary Session House Bill No. 43 this day, moved that the House reconsider its action.

As a substitute motion, Towe moved that the motion to reconsider be laid on the table. Motion failed.

The motion to reconsider failed.

Harrison moved that the House recess until 4:00 p.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Harrison moved that the House adjourn until 10:00 a.m., April 3, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

TWENTY-SEVENTH EXTRAORDINARY SESSION LEGISLATIVE DAY

House of Representatives
Helena, Montana
April 3, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Kendall, Lee, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the twenty-sixth extraordinary session legislative day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

Harrison moved that the House recess until 11:30 a.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Harrison moved that the Speaker appoint a committee of five House members to meet with a like committee from the Senate, along with the Speaker, to discuss and consider possible revenue compromises.

The Speaker appointed the following: Harrison, J. Murphy, Kolstad, Kosena and Aspevig.

Harrison moved that the House recess until 1:30 p.m., this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

The Speaker appointed the following committee to serve on the Constitutional Convention Committee:

Eugene Phillips, Kalispell
Charles Harrington, Butte
Clyde Hawks, St. Xavier
Charles Bovey, Great Falls

REPORTS OF SELECT COMMITTEES

Himsel announced that no progress had been made in the Conference Committee on Extraordinary Session House Bill No. 19 and moved that the committee be discharged. Motion carried.

Harrison reported for the committee of five who had met with the committee from the Senate that there was no possibility of getting together on a revenue compromise and the committee had agreed that the House and Senate should adjourn sine die and that a committee work during the interim before the next Special Session to work on possible proposals.

MOTIONS AND RESOLUTIONS

Harrison moved that offices and furniture and other fixtures of the House and Senate be placed and maintained for the coming Extraordinary Session. Motion carried.

REPORTS OF STANDING COMMITTEES

April 3, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House employees, heretofore employed, are to be removed from the employment list effective on adjournment, April 3, 1971.

Chief Clerk	Zack Stevens
Secretary to Chief Clerk	Sara Ellen Reid
Sec. to Asst. Chief Clerk	Robertta K. Pool
Bills Clerk	Bernice S. Mitchell
Steno to Bills Clerk	Dolores Schulke
Journal Clerk	Rosella Wilson
Assistant Journal Clerk	Edna Mae Leonard
Journal Typist	Marie Nickolai
Reading Clerk	John F. Bell, Jr.
Typist	Charlotte F. Hoppe
Chaplain	Rev. Roy D. Bergquist

HOUSE JOURNAL—EXTRAORDINARY SESSION FORTY-SECOND LEGISLATIVE ASSEMBLY

Secretary to Speaker	Karen Nyberg
Secretary to Majority Leader	Karen Cutler
Secretary to Minority Leader	Ann D. Jensen
Secretary—Payroll Clerk	Virginia Michels
Sergeant-at-Arms	Robert S. Hanson
Assistant Sergeant-at-Arms	Jerry Kirtley
	Selmer J. Kolstad
Doorkeeper	Samuel H. Fisher
Parking Attendant	Robert B. Middlestead
Bills Co-ordinator	Madeline Samson
Night Watchmen	Daniel R. Erving
	James P. Foley
	William Guldseth
	Daniel J. McCarthy
	Timothy M. Racicot
	Cordell Brown
Chief Steno	Pat Romine
Assistant Chief Steno	Judy A. Walters
Stenographers	Beverly R. Adams
	Noel Haegen
	Marie Hensleigh
	Pat Kirby
	Mary E. Kunnary
	Lavada J. Marquardt
Committee Secretaries	Bartley Carson, Appropriations
	Barbara Lester
Chief Multilith Clerk	Agnes R. Srenar
Assistant Chief Multilith Clerk	Florence L. Stermitz
Multilith Clerks	D. John Blacker
	Robert G. Galland
	Ruth E. Hanson
	Debbra J. Kessner
	Michael J. Kokoruda
	Frances M. Meyer
	Sharon Morgan
	Patricia J. Warfield
Chief Mailing Clerk	Orville C. Hanson
Assistant Chief Mailing Clerk	Helen Dragnich
Mailing Clerks	Isabel E. Creighton
	Lucille A. Reiner
	Ann Shea
Chief Engrossing and Enrolling	Elizabeth B. Guffey
Assistant Chief Engrossing	Dolores Nan Parriman
Assistant Chief Enrolling	Zella P. Neilson
Chief Typist	Kay M. Rokke
Typists	Eleanor E. Bushilla
	Jo Arlene Nelson
	Janice E. Saeman
	Gail M. Smith
Proofreaders	Beryl M. Bielen
	Claudia B. Bunn
	Colleen M. Canty
	Helen R. Dellwo
	Mary A. Diette
	June C. Easton
	Jane C. Kufeld
	Hilja S. Moe
	Helen C. Wilson

RunnerMercedes G. Hanson
 PagesJulie Hutchison
 William Kirley
 Cheryl Schreiner

SPILDE, Chairman

Report adopted.

April 3, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House Attaches, heretofore employed, are to be employed during the post-session for the number of days stated below, to take effect after adjournment.

Chief Clerk	Zack Stevens	15
Sec. to Chief Clerk	Sara Ellen Reid	6
Bills Clerk	Bernice S. Mitchell	6
Steno to Bills Clerk	Dolores Schulke	5
Journal Clerk	Rosella Wilson	7
Assistant Journal Clerk	Edna Mae Leonard	6
Secretary to Speaker	Karen Nyberg	15
Sec. to Majority Leader	Karen Cutler	5
Sec. to Minority Leader	Ann D. Jensen	4
Secretary—Payroll Clerk	Virginia Michels	12
Sergeant-at-Arms	Robert S. Hanson	15
Asst. Sergeant-at-Arms	Jerry Kirtley	3
	Selmer J. Kolstad	5
Bills Co-ordinator	Madeline Samson	6
Chief Steno	Pat Romine	3
Asst. Chief Steno	Judy Walters	3
Appropriations Sec.	Bartley Carson	9
Chief Multilith Clerk	Agnes R. Screnar	6
Asst. Chief Multilith Clerk	Florence Stermitz	3
Chief Mailing Clerk	Orville C. Hanson	3
Mailing Clerks	Isabel E. Creighton	2
	Lucille A. Reiner	2
Chief Engrossing & Enrolling	Elizabeth B. Guffey	10
Asst. Chief Engrossing	Dolores Nan Parriman	2
Asst. Chief Enrolling	Zella P. Neilson	2
Chief Typist	Kay M. Rokke	4
Typist	Janice E. Saeman	1
Proofreader	Beryl M. Bielen	7

SPILDE, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Menahan moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate on Extraordinary Session House Bill No. 19.

Motion failed.

Harrison moved that the Speaker appoint a committee of five to notify the Senate that the House, without completing its business, is about to adjourn sine die. Motion carried.

Thereupon, the Speaker appointed the following committee: Haines, C. Smith, Hemstad, Bardanouve and Brand.

Harrison moved that the Speaker appoint a committee of five to notify His Excellency, Governor Anderson, that the House, without completing its business, is about to adjourn sine die. Motion carried.

Thereupon, the Speaker appointed the following committee: Nichols, Selstad, Falkenstern, Healy, Laas.

Harrison moved that the Speaker appoint a committee of five to notify the Supreme Court that the House, without completing its business, is about to adjourn sine die. Motion carried.

Thereupon, the Speaker appointed the following committee: Asbjornson, Spilde, Murphy, J., Gerke and Watt.

Harrison moved that the House recess until 2:30 p.m., this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

April 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in the Free Conference Committee report on Senate Amendments to Extraordinary Session House Bill No. 19 and the Senate committee was discharged.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

April 3, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day appointed a new Free Conference Committee to confer on Senate Amendments to Extraordinary Session House Bill No. 19, to meet with a like committee from the House.

The President appointed the following:

Senator McKeon
Senator Bertsche
Senator Moritz

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Hall moved that the Speaker appoint a Free Conference Committee of three to meet with a like committee from the Senate on Extraordinary Session House Bill No. 19. Hall requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed by the following vote:

Ayes: Aspevig, Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kosena, Laas, Lee, Lien,

Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, Murphy, T., Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staig-miller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 46.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Bennett, Brown, Bur-nett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falken-stern, Fitzgarrald, Forester, Giesick, Glennen, Haines, Harrison, Hem-stad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, Murphy, J., Nichols, Olson, Patrick, Nelstead, Scott, Selstad, Smith, C., Smith, E., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 54.

Absent or not voting: Knudsen, Marbut, Perry. Total 3.

Excused Kendall. Total 1.

Paired: Eggebrecht, Aye; Kvaalen, No. Lee, Aye; Ulmer, No. Fleming, Aye; Murphy, J., No. Zimmer, Aye; Bennett, No.

A committee was received from the Senate which notified the House that the Senate was about to adjourn sine die.

The committee appointed to notify the Senate that the House was ready to adjourn returned to report that the message had been delivered. The Speaker thanked the committee and it was discharged.

The committee appointed to notify the Supreme Court that the House was ready to adjourn returned to report that the message could not be delivered as they had completed their work and gone home. The committee was thanked by the Speaker and the committee was discharged.

The committee appointed to notify the Governor that the House was ready to adjourn returned to report that the message had been delivered. The Speaker thanked the committee and it was discharged.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the 27th Extraordinary legislative day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

Motion was made by Harrison and duly carried that the House of Representatives of the 42nd Extraordinary Legislative Assembly of the State of Montana now stand adjourned sine die.

House adjourned sine die.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

HOUSE JOURNAL

OF THE

Second Extraordinary Session
Forty-second Legislative Assembly

OF THE

STATE OF MONTANA

Commencing June 7, 1971

Ending June 25, 1971

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HOUSE JOURNAL
of the
Second Extraordinary Session
Forty-second Legislative Assembly
of the
STATE OF MONTANA

FIRST EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 7, 1971

Pursuant to the proclamation of His Excellency, the Governor, and the Law in such cases made and provided, the House of Representatives of the Forty-Second Legislative Assembly of the State of Montana in Extraordinary Session II assembled was called to order by the Speaker, the Honorable James P. Lucas, at 12:00 noon, June 7, 1971.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

The Speaker appointed the following committee to escort the Honorable John Harrison, Associate Justice of the Supreme Court, into the House Chambers: Dye, Marks, Fashbender.

Associate Justice Harrison administered the following oath to new members of the House:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office as representative with fidelity; that I have not paid or contributed or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, SO HELP ME GOD."

Thereupon, Representatives Kropp and Thomas, having presented their certificates of election, subscribed to the oath.

On roll call all members were present except East, J. Murphy, excused.

Upon motion by Harrison, duly carried, the officers, organization, rules, joint rules, order of business and all standing committees of the Forty-Second Legislative Assembly were made the officers, organization,

rules, joint rules, order of business and standing committees of the Second Extraordinary Session of the Forty-Second Legislative Assembly.

Upon motion by Harrison, duly carried, the Speaker was authorized to appoint a committee of five to notify His Excellency, the Governor, that the House was organized and ready to transact business. The Speaker appointed the following committee: Haines, Ulmer, C. Smith, Healy, Watt.

Upon motion by Harrison, duly carried, the Speaker was authorized to appoint a committee of five to notify the Senate that the House was organized and ready to transact business. The Speaker appointed the following committee: Nichols, Falkenstern, Kvaalen, Gerke, Hall.

Upon motion by Harrison, duly carried, the Speaker was authorized to appoint a committee of five to notify the Supreme Court that the House was organized and ready to transact business. The Speaker appointed the following committee: Ashbjornson, Mather, Spilde, Bardanouve, Prevost.

Upon motion by Harrison, duly carried, the Legislative Committee was empowered to retain such employees as are necessary to transact business in the House for the Extraordinary Session.

The Speaker assigned Representative Kropp to the following committees: Committee on Livestock and Ranges, Committee on Townships and Counties and Committee on Highways.

The Speaker assigned Representative Thomas to the following committees: Committee on State Administration, Committee on Public Health, Welfare and Safety, and Committee on Highways.

The Speaker announced that the House will convene at 10:00 a.m. unless another time is designated.

A committee from the Senate, composed of Senators Bertsche, McDonald and Turnage, was admitted and reported that the Senate was organized and ready to transact business.

The committee to notify His Excellency, the Governor, returned and reported the message had been delivered. The Speaker thanked the committee and discharged it.

The committee to notify the Senate returned and reported the message had been delivered. The Speaker thanked the committee and discharged it.

The committee to notify the Supreme Court returned and reported the message had been delivered. The Speaker thanked the committee and discharged it.

MESSAGES FROM THE GOVERNOR

June 4, 1971

Honorable Thomas L. Judge
President of the Senate
State Capitol
Helena, Montana

Honorable James P. Lucas
Speaker for the House
House of Representatives
Helena, Montana

Gentlemen:

In addition to those subjects specified in my Proclamation of April 8, 1971, convening the Forty-second Legislative Assembly in Second Extraordinary Session, I hereby request the Forty-second Legislative As-

sembly, convened in Second Extraordinary Session, to consider and act upon the subjects hereinafter specified:

Measures necessary to comply with the Federal "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970."

Measures necessary to comply with the outdoor advertising provisions of the Federal "Highway Beautification Act of 1965."

Sincerely,

FORREST H. ANDERSON
Governor

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committee:

Extraordinary Session II House Bill No. 1, introduced by Harrison. A bill for an act entitled: "An Act Appropriating Money for the Operation of Extraordinary Session II of the Forty-Second Legislative Assembly; specifying an immediate effective date." Referred to Committee on Appropriations.

Extraordinary Session II House Bill No. 2, introduced by Watt, Haines, Worden, Selstad, Christiansen, Patrick, Healy, Swanberg, Kosena, Norman, Fasbender, Campbell, Marbut, Aspevig. A bill for an act entitled: "An Act providing for the partial replacement of property taxes on habitable property and certain personal property with a tax on total personal income; defining habitable property and providing for its separate listing; and providing for withholding." Referred to Committee on Ways and Means.

Extraordinary Session II House Bill No. 3, introduced by Kvaalen. A bill for an act entitled: "An act to appropriate monies to certain state institutions and agencies for the biennium ending June 30, 1973." Referred to Committee on Appropriations.

Extraordinary Session II House Bill No. 4, introduced by Mather, Lucas, Kolstad, Cox, Burnett, Aber, Ellerd. A bill for an act entitled: "An act appropriating money to the Legislative Council for the purpose of contracting with a private consulting firm to conduct a comprehensive management analysis of the higher education system in Montana; providing an effective date." Referred to Committee on Appropriations.

Extraordinary Session II House Bill No. 5, introduced by Haines, Campbell, Worden, Ainsworth, Cox, Glennen, Patrick, Lockwood, Lanthorn, Forester. A bill for an act entitled: "An act imposing a general retail sales and services tax; imposing a use tax; providing for the administration thereof; providing a tax credit for sales and service taxes paid; and providing an effective date." Referred to Committee on Ways and Means.

The Speaker appointed the following committee to draft a Memorial Resolution for Representative Fitzgarrauld: Nichols, Campbell, Scott, Aspevig, Kosena.

Harrison moved that the House adjourn until 10:00 a.m., June 8, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

HOUSE JOURNAL—EXTRAORDINARY SESSION II
FORTY-SECOND LEGISLATIVE ASSEMBLY

SECOND EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana

June 8, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except East, Kendall, J. Murphy, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the First Legislative Day of Extraordinary Session II and find the same correct.

HARRISON, Chairman

REPORTS OF STANDING COMMITTEES

June 7, 1971

Mr. Speaker: We, your committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 1, respectfully report as follows: That Extraordinary Session II House Bill No. 1 do pass.

NICHOLS, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session II House Bill No. 6, introduced by Haines. A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations." Referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

June 7, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred Extraordinary Session II House Bill No. 1, beg leave to report that the same has this date been returned from the printer correctly printed.

MARKS, Chairman

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend its rules to allow Extraordinary Session II House Bill No. 1 to be placed on Second Reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Scott in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Bill No. 1 do pass.

That the Committee rise and report.

SCOTT, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the rules to allow Extraordinary Session II House Bill No. 1 to be placed on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session II House Bill No. 1 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Falkenstern, Fasbender, Thomas, Fleming, Forester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, Murphy, T., Nichols, Norman, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Spilde, Staigmiller, Towe, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 80.

Noes: Bennett, Burnett, Ellerd, Fagg, Hemstad, Keller, Kolstad, Lockrem, McNamer, Mather, Kropp, Selstad, Smith, C., Smith, E., Snortland, Sverdsten, Swan, Ulmer, Wolf. Total 19.

Absent or not voting: Lundgren, Swanberg. Total 2.

Excused: East, Kendall, Murphy, J. Total 3.

Harrison moved that the House recess until 3:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

SPECIAL ORDER OF THE DAY

Memorial services were held in memory of Representative Jack E. Fitzgarrald. Music was provided by Harold Paulsen and Alfred Weber. Mr. Paulsen sang "My God and I" and "How Great Thou Art." Reverend Bergquist, Chaplain, gave the Sermon.

HOUSE JOURNAL—EXTRAORDINARY SESSION II
FORTY-SECOND LEGISLATIVE ASSEMBLY

HOUSE MEMORIAL NO. 1

Introduced by the Necrology Committee.

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the State of Montana of the Forty-Second Legislative Assembly record the passing of a distinguished member of this body;

WHEREAS, it is fitting and proper that the outstanding records and accomplishments, as noted in the preceding service, of the late Representative, Jack E. Fitzgarrald, be placed on record in this Assembly.

NOW, THEREFORE, BE IT RESOLVED, that a copy of this Memorial be entered upon the Journal of the House, and that original copies thereof, signed by the Speaker of the House, be transmitted to the surviving spouse or parents, and in the absence of either, to the oldest surviving child, and that an original copy of this Memorial be filed with the Historical Society of the State of Montana.

NECROLOGY COMMITTEE:

NORRIS NICHOLS, Chairman

WILLIAM R. CAMPBELL

JEFFREY J. SCOTT

ALBERT E. KOSENA

LEROY ASPEVIG

ATTEST:

JAMES P. LUCAS
Speaker of the House

JAMES T. HARRISON, Jr.
Majority Floor Leader

BILL CHRISTIANSEN
Minority Floor Leader

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Extraordinary Session II House Joint Resolution No. 1, introduced by Giesick, Glennen, Healy, Lombardi, Snortland, Fleming, Jackson, Quilici, Ulmer, Lockrem, Ellerd, Burnett, Kropp, Thomas, Lucas, Forester. A Joint Resolution of the Senate and House of Representatives requesting congress to call a convention for the purpose of amending the United States Constitution to provide for inter-governmental sharing of federal income tax revenue. Referred to the Committee on Constitution, Elections and Federal Relations.

Harrison moved that the House adjourn until 10:00 a.m., June 9, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

THIRD EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana

June 9, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Burnett, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Second Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman

REPORTS OF STANDING COMMITTEES

June 9, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the 42nd Legislative Extraordinary Session II as attaches, effective June 7, 1971.

Chief Clerk.....	Zack Stevens
Assistant Chief Clerk.....	C. Lowell Purdy
Secretary to Chief Clerk.....	Sara Ellen Reid
Secretary to Assistant Chief Clerk.....	Robert K. Poole
Bills Clerk.....	Bernice Mitchell
Steno to Bills Clerk.....	Dolores Schulke
Journal Clerk.....	Rosella Wilson
Assistant to Journal Clerk.....	Edna Mae Leonard
Typist.....	Charlotte Hoppe
Sergeant-at-Arms.....	Robert S. Hanson
Assistant Sergeant-at-Arms.....	Jerry Kirtley Selmer J. Kolstad
Chaplain.....	Rev. Roy D. Bergquist
Secretary to Speaker.....	Karen Nyberg
Secretary to Majority Leader.....	Judy Walters
Secretary to Minority Leader.....	Ann D. Jensen
Secretary-Payroll Clerk.....	Virginia Michels
Doorkeeper.....	Gene Will
Bills Co-ordinator.....	Madeline Samson
Chief Steno.....	Eva K. Seeley
Assistant Chief Steno.....	Mary Kunnary
Stenos.....	Kathy Castles Louise Fulbright Noel Haegen Pat Kirby Toni Marquardt Judy Pratt
Committee Secretaries.....	Marie Hensleigh, Reapportionment Barbara Lester Ways & Means Pat Romine Appropriations

HOUSE JOURNAL—EXTRAORDINARY SESSION II FORTY-SECOND LEGISLATIVE ASSEMBLY

Chief Multilith Clerk.....	Agnes R. Srenar
Assistant Chief Multilith Clerk.....	Florence L. Stermitz
Multilith Clerks.....	Judy Harris
	Pat Isaak
	Melody Jackson
	Debbra Kessner
	Michael Kokoruda
	Troy W. McGee, Jr.
	Frances Meyer
	Marilyn Rodgers
	Margaret Waddell
	Patricia Warfield
	Dan Weber
Chief Mailing Clerk.....	Orville C. Hanson
Assistant Chief Mailing Clerk.....	Isabel E. Creighton
Mailing Clerks.....	Ann D. Richeson
	Peggy Waugh
Runner.....	Cedric A. Kolstad
Chief, Enrolling & Engrossing.....	Elizabeth B. Guffey
Assistant Chief, Engrossing.....	Mercedes G. Hanson
Assistant Chief, Enrolling.....	Zella P. Neilson
Chief Typist.....	Janice E. Saeman
Typists.....	Diane Burnett
	Eleanor E. Bushilla
Tape.....	Margaret Schneider
	Karlee Scow
Tape.....	Alice J. Merritt
	Cathy Ann Moody
Chief Proofreader.....	Beryl M. Bielen
Proofreaders.....	Claudia Bunn
	Colleen Canty
	Debra Castles
	June Easton
	Jane Kufeld
	Hilja Moe
	Helen Wilson
Night Watchman.....	Cordell Brown
	Tom Erving
Pages.....	Laurie Jo Darraugh
	Karen Eck
	Nancy Holmes
	Nancy S. Maurer
	Michael O. Morris
	William F. Watkins

SPILEDE, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

June 9, 1971

Honorable Thomas L. Judge
President of the Senate
Capitol
Helena, Montana

Honorable James P. Lucas
Speaker of the House
House of Representatives
Helena, Montana

Gentlemen:

One of the most challenging, and potentially rewarding, areas of improvement in state government is the modernization of state investment procedures. Executive reorganization, authorized in the regular session, should finally bring to reality the legislative intent of the Unified Investment Act.

Every effort must, and will, be made by this Administration to secure an optimum return from the investment of state funds. Preliminary evaluations are being made of present investment practices, cash flow, and fund portfolios.

The Montana Trust and Legacy Fund is defined in Section 81-1001, R.C.M., 1947. The public school permanent fund makes up the major portion (nearly 90%) of the trust and legacy portfolio. A minor modification of the law would greatly enhance the investment opportunities of the \$61 million Trust and Legacy Fund—without sacrificing the quality of the portfolio.

Article 21, Section 8, Constitution of Montana, states in part:

“The Montana trust and legacy fund shall be safely and conservatively invested in public securities within the state, as far as possible, including school district, county and municipal bonds, and bonds of the State of Montana; but it may also be partly invested in bonds of the United States, bonds fully guaranteed by the United States as to principal and interest, and federal land bank bonds.” (Underlining added.)

The Supreme Court in the case of *In Re Montana Trust and Legacy Fund*, 388 Pac. 22d 336, 369, states:

“The implementing statute (R.C.M. 1947 81-1001) does not exercise the option granted in the Legislature by the Constitution to provide for investment in ‘bonds fully guaranteed by the United States’; thus the securities in the Trust and Legacy Fund comprise only bonds issued by governmental entities . . .”.

It is obvious that the present statutory investment authority of the Trust and Legacy Fund is less than what is permitted by the Constitution.

The value of the present Trust and Legacy portfolio can be increased by more than \$17 million over the next 27½ years . . . an annual increase of more than \$600,000 in principal and interest spread out over the life of the securities now held. This projection is based on a thorough portfolio analysis, contemplating the exchange of present securities for others fully guaranteed by the United States as to principal and interest.

At a time when no one would deny the fiscal problems of government, this additional income is critically important. The major portion of the income received from the Trust and Legacy accounts is distributed annually to local school districts and is a replacement of local property tax levies.

I urge your prompt consideration of measures that will ensure that Section 81-1001, R.C.M., 1947 is no more restrictive than Article 21, Section 8 of the Montana Constitution and provide for the full exercise of all the authority granted the Legislature by that Article.

Sincerely,

FORREST H. ANDERSON
Governor

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary Session II House Bill No. 7, introduced by Weeding, Zody, Lund, Knudsen, Eggebrecht, E. Smith, Prevost, Edland: A bill for an act entitled: "An act appropriating moneys to the Department of Planning and Economic Development to provide planning and development services to the Eighteen-County Development Association of Eastern Montana." Referred to Committee on Appropriations.

Extraordinary Session II House Bill No. 8, introduced by Harper, T. Murphy, Knudsen, Greely, Gunderson, Hodges, Staigmiller, Fasbender, Towe, Eggebrecht, Shelden, Zody, Schoonover, Johnston, Weeding, Fleming, Edland, Laas, Sverdsten, Zimmer, Brown, Aspevig, Norman, Fagg, Gerke, Watt, Baeth: A bill for an act entitled: "An act providing for the assessment and collection of a license tax on trading stamp companies doing business in this state." Referred to Committee on Ways and Means.

Extraordinary Session II House Bill No. 9, introduced by Marbut, Haines, Aber, Lombardi, Quilici, Harper, Lundgren, Towe, Glennen, Thomas, Norman, Brown, Staigmiller, Nichols, Kosena: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article XIX of the Constitution of Montana to permit the Legislative Assembly to authorize lotteries." Referred to Committee on Constitution, Elections and Federal Relations.

Extraordinary Session II House Bill No. 10, introduced by Marbut, Haines, Lundgren, Aber, Lombardi, Quilici, Harper, Towe, Glennen, Thomas, Norman, Brown, Staigmiller, Nichols, Kosena: A bill for an act entitled: "An act concerning the establishment and operation of a state lottery, creating a state lottery commission, prescribing its functions, powers and duties, providing for an appropriation therefore; and providing an effective date." Referred to Committee on Ways and Means.

Extraordinary Session II House Bill No. 11, introduced by Himsl, Lucas, Schoonover, Olson, Johnston, Ulmer, Lundgren, Brown, Zody, Fleming, Zimmer, J. Murphy: A bill for an act entitled: "An act appropriating money from the general fund to the Community College Districts of Montana for their operation and maintenance during the biennium ending June 30, 1973, in accordance with Section 75-8121, R.C.M., 1947." Referred to Committee on Appropriations.

Extraordinary Session II House Bill No. 12, introduced by Bennett, Mather, Giesick, Dye, J. Murphy. A bill for an act entitled: "The 1971 Montana Revenue Act; levying a sales and use tax to support state government; providing for the administration thereof, and for penalty in case of violation thereof; increasing income tax surtax to twenty percent (20%) by amending Section 84-4902.1, R.C.M., 1947; earmarking a percentage of the sales and use tax collected; providing for a refund or credit for sales and use tax paid upon food, drugs and other related items; providing for a referendum in November, 1972; repealing Section 37-110, R.C.M., 1947; and providing effective dates." Referred to Committee on Ways and Means.

Extraordinary Session II House Bill No. 13, introduced by Bardanouve, Lucas, Haines, Christiansen, Fasbender, Nichols: A bill for an act entitled: "An act allowing the investment of moneys belonging to the public school permanent fund and its other permanent funds of the education, charitable and penal institutions of the state, and all permanent funds subject to the administration of the board under Article XXI of the State Constitution, to be invested in bonds which are fully guaranteed by the United States as to principal and interest by amending Section 81-1001, R.C.M.,

1947; providing an effective date." Referred to Committee on State Administration.

Harrison moved that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

June 9, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Extraordinary Session II House Joint Resolution No. 1, respectfully report as follows: That Extraordinary Session II House Joint Resolution No. 1 do pass.

HAINES, Chairman

Report adopted.

June 9, 1971

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Extraordinary Session II House Bill No. 9, respectfully report as follows: That Extraordinary Session II House Bill No. 9

Be amended on page 1, line 16, after the word "purpose" through and including line 18, by deleting the words and punctuation in its entirety and inserting in lieu thereof the following material: "except a lottery managed and operated by the state government itself, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets in this state except that the legislative assembly may pass laws to permit a lottery managed and operated by the state.", and

As amended, do pass.

HAINES, Chairman

Report adopted.

MESSAGES FROM THE SENATE

June 9, 1971

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Extraordinary Session No. 2 House Bill No. 1, introduced by Harrison, was this day read third time and passed, title and history agreed to, and the same is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary Session II House Bill No. 14, introduced by Healy, Lombardi, Lee, McGrath, Harper, Quilici, Mehrens, Lynch, Menahan, Kosena, Lundgren, Clemow, Johnston, T. Murphy: A bill for an act entitled: "An

act appropriating moneys for the Environmental Engineering Program at the Montana College of Mineral Science and Technology." Referred to Committee on Appropriations.

Extraordinary Session II House Bill No. 15, introduced by Brand, Lee, McKittrick, Zimmer, Menahan, Mehrens, Norman, Lombardi, Lynch, Hall, Baeth, Lien, T. Murphy: A bill for an act entitled: "An act appropriating money to the Department of Agriculture to be used to study methods and procedures used in establishing gasoline prices, including the contracts involved, by distributors, refiners, wholesalers or suppliers of petroleum products." Referred to Committee on Appropriations.

Extraordinary Session II House Bill No. 16, introduced by Brand, by request: A bill for an act entitled: "An act amending Section 53-112, R.C.M., 1947, to increase the fee for original certificate of ownership and transfer of title." Referred to Committee on Townships and Counties.

Extraordinary Session II House Bill No. 17, introduced by Harper, Lanthorn: A bill for an act entitled: "An act appropriating money to the Legislative Council to be used for the installation and service charges of six state telecommunication system telephones in the homes or offices of the Lieutenant Governor, Senate Majority Leader, Senate Minority Leader, Speaker of the House of Representatives, Majority Leader of the House of Representatives, and Minority Leader of the House of Representatives." Referred to the Committee on Appropriations.

Harrison moved that the House adjourn until 10:00 a.m., June 10, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

FOURTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana

June 10, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Aspevig, Fleming, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Third Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman

REPORTS OF STANDING COMMITTEES

June 10, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be hired as attaches for the 42nd Legislative Extraordinary Session II, effective dates as listed.

Virginia M. Waterman, Steno, 6/8/71

Anthony Strojan, Doorkeeper, 6/9/71

SPILEDE, Chairman

Report adopted.

June 10, 1971

Mr. Speaker: We, your Committee on Bills, to whom was referred Extraordinary Session II House Joint Resolution No. 1 and Extraordinary Session II House Bill No. 9, beg leave to report that the same have this date been returned from the printer correctly printed.

MARKS, Chairman

June 10, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session II House Bill No. 1.

MARKS, Chairman

I have examined Extraordinary Session II House Bill No. 1, introduced by me, and find the same to be correct.

HARRISON

The Speaker signed Extraordinary Session II House Bill No. 1 in open session.

June 10, 1971

Mr. Speaker: We, your committee on Ways and Means, having had under consideration Extraordinary Session II House Bill No. 12, respectfully report as follows: That Extraordinary Session II House Bill No. 12.

Be amended in the title of the original and reproduced bill, page 1, line 10, following the word "to" by deleting the following words and figures "twenty percent (20%)" and inserting in lieu thereof the following words and figures "twenty-two percent (22%)", and

Further amend in section 5, subsection (2), page 9, line 28 of the original and reproduced bill, following the word "the" by deleting the word "manufacture" and inserting in lieu thereof the following new material "growing or manufacturing", and

Further amend in section 14, page 20, beginning with line 17 of the original and reproduced bill by deleting the word "commissioner" and inserting in lieu thereof the following words "state board of equalization", and

Further amend in section 45, page 40, line 10 of the original and reproduced bill, following the word "effective" by deleting the words "upon its passage and approval" and inserting in lieu thereof the word and figures "July 1, 1971", and

As so amended, do pass.

ULMER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Christiansen moved that Extraordinary Session II House Bill No. 12 be referred to the Rules Committee. Motion carried.

The Speaker recessed the House for ten minutes so that the Rules Committee could meet.

House resumed.

REPORTS OF STANDING COMMITTEES

June 10, 1971

Mr. Speaker: We, a majority of your committee on Rules, having had under consideration Extraordinary Session II House Bill No. 12, respectfully report as follows: That all matters therein are within the scope of the Governor's call and further that there is no apparent constitutional violation therein.

HARRISON, Chairman
LUCAS
MATHER

Mr. Speaker: We a minority of your committee on Rules, hereby report that the bill contains subject matter outside the Governor's call and contains constitutional problems.

CHRISTIANSEN
FASBENDER

Harrison moved for adoption of the majority committee report.

As a substitute motion Christiansen moved for adoption of the minority committee report and requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Brand, Christiansen, Edland, Eggebrecht, Fasbender, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, Murphy, T., Norman, Prevost, Quilici, Robbins, Schoonover, Shelden, Smith, E., Staig-miller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 45.

Noes: Aber, Ainsworth, Asbjornson, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Thomas, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marbut, Marks, Mather, Murphy, J., Nichols, Olson, Parrish, Patrick, Kropp, Nelstead, Scott, Selstad, Smith, C., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden. Total 56.

Absent or not voting: Mr. Speaker. Total 1.

Excused: Aspevig, Fleming. Total 2.

The original motion carried, and the majority report was adopted.

Hall moved that in referring to all bills and resolutions it shall be deemed as referring to the bills of this Second Extraordinary Session. Motion carried.

Ulmer moved that Extraordinary Session II House Bill No. 10 be taken from Committee on Ways and Means and referred to Committee on Rules. Motion carried.

Harrison moved that the rules be suspended to allow Extraordinary Session II House Bill No. 12 to be considered on Second Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Extraordinary Session II House Bill No. 18, introduced by Christiansen, Fasbender, Lee, Kendall, Gerke, Watt, Robbins, Hall, Towe, Bardanouve, Harper, Greely, Kosena, Mehrens, Brand, Zody, Edland, Gunderson, Staigmiller, Lien, Baeth, Quilici, Schoonover, Bradley, Hodges, Parrish, Knudsen, Shelden, Weeding, Murphy, T., Anderson, Prevost, Zimmer, McKittrick, Yardley, Norman, Fleming, Lynch, Johnston, Lombardi, Menahan, Swanberg, Healy, Eggebrecht, Laas. A bill for an act entitled: "An act to amend Section 84-1501, R.C.M. 1947, as amended by Chapter 333, Session Laws of 1971, to provide that the corporation license tax be increased to seven percent (7%)." Referred to Committee on Ways and Means.

Extraordinary Session II House Bill No. 19, introduced by Christiansen, Fasbender, Towe, Kendall, Gerke, Watt, Zody, Hall, Edland, Gunderson, Harper, Lee, Kosena, Greely, Brand, Quilici, Bardanouve, Staigmiller, Zimmer, Robbins, Fleming, McKittrick, Mehrens, Weeding, Schoonover, Bradley, Parrish, Shelden, Baeth, Eggebrecht, Lien, Knudsen, Anderson, Prevost, Hodges, Yardley, Norman, Swanberg, Menahan, Laas, Healy, Jackson, Lynch, Lombardi. A bill for an Act Entitled: "An Act to reform the Montana income tax laws by imposing a tax on the privilege of earning or recovering income in or as a resident of the State of Montana; amending Sections 84-4901, 84-4902, 84-4905 and 84-4910, R.C.M. 1947; and repealing the surtax provided in Section 84-4902.1, and also repealing Sections 84-4906 and 84-4908, R.C.M. 1947; and providing for an effective date; and reserving liability under acts repealed." Referred to Committee on Ways and Means.

Extraordinary Session II House Bill No. 20, introduced by Harper, Brand, McGrath, Lee, Lanthorn, Christiansen, Mehrens, Gunderson, Marbut, Kosena, Menahan, Knudsen, Lynch, Quilici, Bardanouve, Devine, McKittrick, Eggebrecht, Towe, Swan, Swanberg, Fagg, Johnston, Bradley. A bill for an Act Entitled: "An Act to appropriate five hundred thousand dollars (\$500,000) to the Montana Alcohol and Drug Dependence Commission to be allocated to the five regional offices of the state to research and investigate all phases of alcohol and drug dependence in the State of Montana, and report to the Forty-Third Legislative Assembly." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Bill No. 9 be passed for the day.

That Extraordinary Session II House Joint Resolution No. 1 do pass.

That Extraordinary Session II House Bill No. 12 be amended in Section 42, page 39, line 21, by inserting after the word "act" the following: "except for section 39 (d) and section 44," and

As amended, do pass.

That the Committee rise and report.

COX, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the rules and allow Third Reading of Extraordinary Session II House Bill No. 12 to be considered correctly engrossed and be placed on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill having been read three several times was disposed of in the following manner:

Extraordinary Session II House Bill No. 12 was passed by the following vote

Ayes: Aber, Ainsworth, Asbjornson, Bennett, Bradley, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Thomas, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, McNamer, Marks, Mather, Murphy, J., Nichols, Olson, Parrish, Patrick, Kropp, Nelstead, Scott, Selstad, Smith, C., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Yardley, Mr. Speaker. Total 57.

Noes: Anderson, Baeth, Bardanouve, Brand, Christiansen, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, Murphy, T., Norman, Prevost, Quilici, Robbins, Schoonover, Shelden, Smith, E., Staigmilller, Swanberg, Towse, Watt, Weeding, Zimmer, Zody. Total 46.

Absent or not voting: None.

Excused: Aspevig. Total 1.

Paired: Keller, aye; Fleming, no.

SPECIAL ORDERS OF THE DAY

A slide presentation was given on the WAMI program, a medical school plan for Washington, Alaska, Montana and Idaho.

Dye moved that the House adjourn until 10:00 a.m., June 11, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FIFTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 11, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Anderson, Aspevig, Fasbender, Fleming, Hall, Lund, Schoonover, Sverdsten, Ulmer, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fourth Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

June 11, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: Extraordinary Session II House Joint Resolution No. 1.

BURNETT

June 10, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred Extraordinary Session II House Bill No. 1, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day at the hour of 10:12 o'clock, a.m., delivered to the Governor for his approval.

MARKS, Chairman

June 11, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House Attaches be given the number of days listed below for Pre-Session employment.

Chief Clerk	Zack Stevens	4
Sec. to Chief Clerk	Sara Ellen Reid	2
Sergeant-at-Arms	Robert S. Hanson	5
Asst. Sgt.-at-Arms	Jerry Kirtley	1
	Selmer J. Kolstad	1
Sec. to Speaker	Karen Nyberg	6
Sec. to Maj. Ldr.	Judy Walters	1
Sec. Payroll Clerk	Virginia Michels	3
Chief Steno	Eva K. Seeley	1
Comm. Sec.	Barbara Lester	1
Asst. Ch. Mul. Clk.	Florence Stermitz	1
Multilith Clerks	Pat Isaak	1
	Margaret Waddell	2
Chief Mailing Clerk	Orville C. Hanson	1
Ch. Eng. & Enr.	Elizabeth B. Guffey	5
Asst. Ch. Eng.	Mercedes G. Hanson	2
Typists	Diane Burnett	3
	Cathy Ann Moody	2
	Margaret Schneider	3
	Karlee Scow	1

SPILDE, Chairman

Report adopted.

June 11, 1971

Mr. Speaker: We, your committee on State Administration, having had under consideration Extraordinary Session II House Bill No. 13, re-

spectfully report as follows: That Extraordinary Session II House Bill No. 13 do pass.

SWAN, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

June 10, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Dear Sir:

This will inform you that I have this day signed Extraordinary Session II House Bill No. 1.

Sincerely,

FORREST H. ANDERSON
Governor

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the rules and allow Extraordinary Session II House Bill No. 13 to be considered on Second Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary Session II House Bill No. 21, introduced by Keller, Selstad. A bill for an Act Entitled: "An Act to appropriate money to the Office of the Superintendent of Public Instruction to develop a program for educationally handicapped children." Referred to Committee on Appropriations.

Extraordinary Session II House Bill No. 22, introduced by Patrick. A bill for an Act Entitled: "An Act providing for the licensing of motor vehicle wreckers, license fee, maintenance of records, hearings in case of license refusal, suspension, or revocation, screening of motor vehicle wrecking yards, promulgation of rules and regulations, inspection of records, establishment of motor vehicle graveyards, right for the State Department of Health to contract with private enterprise for the purpose of disposal of old automobiles, establishment of a disposal fee on motor vehicles registered in the State, and for the distribution of funds." Referred to Committee on Highways.

Extraordinary Session II House Bill No. 23, introduced by Patrick. A bill for an Act Entitled: "An Act to appropriate moneys to various State agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Giesick in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Bill No. 9 be passed for the day.

That Extraordinary Session II House Bill No. 13 do pass.

That the Committee rise and report.

GESICK, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the rules and place Extraordinary Session II House Bill No. 13 on Third Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session II House Bill No. 24, introduced by Darrow, Christiansen, Lundgren, Fagg, Haines, Lucas, Keller, Glennen, Patrick. A Bill for an Act Entitled: "An Act appropriating one hundred seventy-five thousand dollars (\$175,000) to the Environmental Quality Council." Referred to Committee on Appropriations.

THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session II House Bill No. 13 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Thomas, For-ester, Gerke, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lundgren, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, Murphy, J., Murphy, T., Nichols, Norman, Olson, Parrish, Patrick, Kropp, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, Smith, C., Smith, E., Snortland, Spilde, Staigmiller, Swan, Swanberg, Towe, Watt, Weeding, Whitney Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: Anderson, Aspevig, Cox, Fagg, Fasbender, Fleming, Hall, Lund, Lynch, Schoonover, Sverdsten, Ulmer, Warfield. Total 13.

SPECIAL ORDERS OF THE DAY

A program on reapportionment as worked out by a group of Helena High School students, using a computer, was presented by the students and their teachers.

MOTIONS AND RESOLUTIONS

Harrison moved that the Legislative Modernization Committee be re-constituted. Motion carried.

Harrison moved that the House adjourn until 10:00 a.m., June 12, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

SIXTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana

June 12, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Aspevig, Bradley, Brown, Fleming, Gerke, Knudsen, Laas, Lee, Mather, Norman, Parrish, Shelden, E. Smith, Sverdsten, Weeding, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fifth Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

June 11, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Betty Ann Guffey be added to the payroll as Runner, effective June 11, 1971.

SPILDE, Chairman

Report adopted.

June 11, 1971

Mr. Speaker: We, your Committee on Rules, having had under consideration Extraordinary Session II House Bill No. 10, respectfully report as follows: That Extraordinary Session II House Bill No. 10 is within the scope of the Governor's call and may receive further consideration by the House of Representatives.

HARRISON, Chairman
CHRISTIANSEN

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that Extraordinary Session II House Bill No. 10 be referred to the Committee on Ways and Means. Motion carried.

Falkenstern moved that Extraordinary Session II House Bill No. 16 be

taken from Committee on Townships and Counties and referred to Committee on Rules. Motion carried.

T. Murphy moved that Extraordinary Session II House Joint Resolution No. 1 be removed from Third Reading and returned to Second Reading. Motion failed.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole to consider business on Second Reading. Motion carried.

Lucas in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Bill No. 9 be passed for the day.

That the Committee rise and report.

LUCAS, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House dispense with Order of Business No. 9, Third Reading, this day. Motion carried.

Harrison moved that the House adjourn until 1:00 p.m., June 13, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

SEVENTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 13, 1971

House convened, pursuant to adjournment, at 1:00 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Anderson, Aspevig, Brown, Fleming, Hemstad, Johnston, Keller, Lien, McNamer, Mather, Parrish, Robbins, Selstad, Shelden, Snortland, Warfield, Yardley, excused.

Mr. Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the 6th Legislative Day Session II and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

June 13, 1971

Mr. Speaker: We, your committee on Legislative Administration, recommend that Pat Kirby, Steno, be removed from the payroll effective June 8, 1971.

SPILDE, Chairman

Report adopted.

June 12, 1971

Mr. Speaker: We, your Committee on Waye and Means, having had under consideration Extraordinary Session II House Bill No. 10, respectfully report as follows: That Extraordinary Session II House Bill No. 10 be amended in Section 5 of the original and reproduced bill, page 4, following line 18 by adding the following new subsection "(d) for transfer to the general fund for state institutions and state aid for education; provided however, that no less than 30% of the total revenues accruing from the sale of lottery tickets or shares shall be dedicated to said purpose.", and as so amended, do pass.

ULMER, Chairman

MESSAGES FROM THE GOVERNOR

June 13, 1971

Honorable Thomas L. Judge
President of the Senate
State Capitol
Helena, Montana

Honorable James P. Lucas
Speaker of the House
House of Representatives
Helena, Montana

Gentlemen:

As a result of the decision, date June 11, 1971, in the United States District Court for the District of Montana, Civil No. 939, wherein the Court ruled Chapter Ex-3 (Ex Senate Bill No. 1) of the Forty-second Legislative Session unconstitutional, I hereby request the Forty-second Legislative Assmblly, convened in Second Extraordinary Session, to consider and act upon the following:

Reapportionment of the House of Representatives and the Senate.

Very Truly yours,

FORREST H. ANDERSON
Governor

MESSAGES FROM THE SENATE

June 12, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and passed Extraordinary Session II Senate Bill No. 1 and the bill is herewith transmitted to the House for concurrence.

Respectfully,

J. THOMAS BULGER
Acting Secretary
of the Senate

June 12, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in Extraordinary Session No. II House Bill No. 13 and the bill is herewith returned to the House.

Respectfully,

J. THOMAS BULGER
Acting Secretary
of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and allow Second Reading of Extraordinary Session II House Bill No. 10 this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Extraordinary Session II House Bill No. 25, introduced by Lockrem, Cox, Keller, Giesick, Glennen, Watt, Fleming: A bill for an act entitled: "An act to amend House Bill No. 476 passed by the Forty-second Legislative Assembly during its regular session relating to an appropriation from the general fund to the State Board of Health for matching funds to local governments for construction of water pollution facilities subject to Section 69-4808.1, R.C.M. 1947." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading. Motion carried.

Lockrem in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Bill No. 9 do pass.

That Extraordinary Session II House Bill No. 10 be amended in Section 5, subsection d, page 4, line 18 in the first line of the Committee amendment by striking the words "for state institutions and state aid for education"

And as amended, do pass.

That the Committee rise and report.

LOCKREM, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House dispense with Third Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Extraordinary Session II Senate Bill No. 1, introduced by Reardon, Broeder, Stein, Manning, Northey, McGowan, Moritz, Graham: A bill for an act entitled: "An act to provide for the control of outdoor advertising adjacent to interstate and primary highway systems in compliance with the Highway Beautification Act of 1965; repealing Sections 32-4701 through 32-4714, R.C.M. 1947". Referred to Committee on Highways.

Harrison moved that the House adjourn until 10:00 a.m., June 14, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

EIGHTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 14, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Hall, Jackson, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Seventh Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSSEN

Harrison moved that the House recess until 11:00 a.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

June 14, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session II House Bill No. 13.

MARKS, Chairman

I have examined Extraordinary Session II House Bill No. 13, introduced by me, and find the same to be correct.

BARDANOUE

The Speaker signed Extraordinary Session II House Bill No. 13 in open session.

June 14, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Extraordinary Session II House Bills Nos. 9, 10.

MARKS, Chairman

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary Session II House Bill No. 26, introduced by Norman: A bill for an act entitled: "An act to levy a business and occupation license tax; requiring corporations to pay the business and occupation license tax if tax liability greater than the corporation license tax; amending Sections 84-1901 and 84-4905, R.C.M., 1947; repealing Section 84-733, R.C.M., 1947; and providing an effective date." Referred to Committee on Ways and Means.

Extraordinary Session II House Bill No. 27, introduced by Towe, Gunderson, T. Murphy, Fasbender, Staigmilller, Harper: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Extraordinary Session Chapter 3 of the Session Laws of 1971." Referred to Committee on Reapportionment.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend its Rules to allow Third Reading of Extraordinary Session II House Bills Nos. 9 and 10 this day. Motion carried.

SPECIAL ORDERS OF THE DAY

The Speaker appointed the following committee to escort Lieutenant Governor John Wyler of Tennessee to the rostrum: Swan, Anderson, Spilde.

Lieutenant Governor Wyler addressed the Assembly.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

T. Murphy moved that Extraordinary Session House II Joint Resolution No. 1 be taken from Third Reading and returned to Second Reading. Motion carried.

Extraordinary Session II House Bill No. 9, being a Constitutional Amendment, failed to pass by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Devine, Dye, Edland, Eggebrecht, Thomas, Fleming, Forester, Giesick, Glennen, Greeley, Gunderson, Haines, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Knudsen, Kosena, Laas, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, Norman, Parrish, Patrick, Nelstead, Prevost, Quilici, Selstad, C. Smith, Spilde, Staigmilller, Swan, Swanberg, Towe, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer. Total 63.

Noes: Aber, Aspevig, Bardanouve, Burnett, Campbell, Cox, Darrow, East, Ellerd, Fagg, Falkenstern, Fasbender, Gerke, Hall, Harrison, Hemstad, Keller, Kendall, Kolstad, Kvaalen, Lanthorn, Lien, Lockwood, Marks, J. Murphy, T. Murphy, Nichols, Olson, Kropp, Robbins, Schoonover, Scott,

Shelden, E. Smith, Snortland, Sverdsten, Ulmer, Weeding, Zody, Mr. Speaker. Total 40.

Absent or not voting: Anderson. Total 1.

Excused: None.

Paired: Christiansen, yes. Jackson, yes. Hall, no.

Nichols moved that Extraordinary Session II House Bill No. 10 be taken from Third Reading and referred to the Committee on Appropriations. Motion carried.

REPORTS OF STANDING COMMITTEES

June 14, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary Session II House Bill No. 18, respectfully report as follows: That Extraordinary Session II House Bill No. 18 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the committee report.

As a substitute motion, Christiansen moved that Extraordinary session II House Bill No. 18 be printed and placed on Second Reading.

Fasbender requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Baeth, Bardanouve, Bradley, Brand, Christiansen, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Harper, Healy, Hodges, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staig-miller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 45.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Devine, Dye, East, Ellerd, Fagg, Falken-stern, Thomas, Forester, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, Mc-Namer, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Kropp, Nel-stead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Absent or not voting: Anderson, Giesick. Total 2.

Excused: Hall, Jackson. Total 2.

The original motion to adopt the committee report carried.

June 14, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary Session II House Bill No. 19, respectfully report as follows: That Extraordinary Session II House Bill No. 19 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the committee report.

As a substitute motion, Christiansen moved that Extraordinary Ses-sion II House Bill Bill No. 19 be printed and placed on Second Reading.

As a motion for all motions pending, Fasbender moved that further consideration of Extraordinary Session II House Bill No. 19 be postponed until further data on the amount of money to be raised are available. Motion failed.

Christiansen requested a roll call vote on the substitute motion, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed to pass by the following vote:

Ayes: Baeth, Bardanouve, Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Harper, Healy, Hodges, Johnston, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 45.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Thomas, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Kropp, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 55.

Absent or not voting: Anderson, McNamer. Total 2.

Excused: Hall, Jackson. Total 2.

The committee report was then adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Forester in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Joint Resolution No. 1 do not pass.

That the Committee rise and report.

FORESTER, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

June 14, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred Extraordinary Session II House Bill No. 13, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day at the hour of 11:18 o'clock, a.m., delivered to the Governor for his approval.

MARKS, Chairman

June 14, 1971

Mr. Speaker: We, your Committee on Rules, having had under consideration Extraordinary Session II House Bill No. 16, respectfully re-

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port as follows: That Extraordinary Session II House Bill No. 16 is outside the scope of the Governor's call and should not be considered further by this body.

HARRISON, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the previous Special Committee on Reapportionment be reactivated. Motion carried.

Keller, having voted on the prevailing side, moved that the House reconsider its action in having failed to pass Extraordinary Session II House Bill No. 9 on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session II House Bill No. 9, being a Constitutional Amendment, was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Devine, Dye, Edland, Eggebrecht, Fasbender, Thomas, Fleming, Forester, Giesick, Glennen, Greely, Gunderson, Haines, Harper, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, Nichols, Norman, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, C. Smith, E. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Warfield, Watt, Whitney, Wolf, Worden, Yardley, Zimmer. Total 73.

Noes: Bardanouve, Burnett, Campbell, Cox, Darrow, East, Ellerd, Fagg, Falkenstern, Gerke, Hall, Harrison, Hemstad, Kendall, Kvaalen, Lien, Lockwood, Marks, J. Murphy, Olson, Schoonover, Scott, Shelden, Ulmer, Weeding, Zody, Mr. Speaker. Total 27.

Absent or not voting: Anderson, T. Murphy, Kropp, Selstad. Total 4.

Excused: None.

Paired: Bennett, yes. Fasbender, yes. Christiansen, yes. Jackson, yes. Hall, no. Murphy, no.

Harrison moved that the House adjourn until 10:00 a.m., June 15, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

NINTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 15, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Fleming, Jackson, Lockwood, Patrick, C. Smith, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Eighth Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

June 15, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary Session II House Bill No. 2, respectfully report as follows: That Extraordinary Session II House Bill No. 2 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the committee report.

As a substitute motion, Watt moved that Extraordinary Session II House Bill No. 2 be printed and placed on Second Reading.

Hall requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

Giesick moved the previous question. Motion failed.

The substitute motion failed by the following vote:

Ayes: Aspevig, Baeth, Bardanouve Bradley, Brand, Christiansen, Devine, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Greely, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Kendall, Knudsen, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McGrath, McKittrick, Marbut, Mehrens, Menahan, T. Murphy, Norman, Parrish, Prevost, Quilici, Robbins, Schoonover, Selstad, Shelden, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 49.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Bennett, Brown, Burnett, Campbell, Clemow, Cox, Darrow, Dye, East, Ellerd, Fagg, Falkenstern, Thomas, Forester, Giesick, Glennen, Haines, Harrison, Hemstad, Himsl, Johnston, Keller, Kolstad, Kvaalen, Lanthorn, Lockrem, Lockwood, Lund, Lundgren, Marks, Mather, J. Murphy, Nichols, Olson, Patrick, Kropp, Nelstead, Scott, C. Smith, E. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Whitney, Wolf, Worden, Mr. Speaker. Total 54.

Absent or not voting: McNamer. Total 1.

Excused: None.

Paired: Jackson, yes; C. Smith, no. Fleming, yes; Lockwood, no. Fasbender, yes; Patrick, no.

The committee report was adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session II House Bill No. 28, introduced by Fasbender, Greely, Swanberg, Kendall, Harper, Kosena, McGrath, Lee, Hodges, Lynch, Selstad, McKittrick, Healy, Lombardi, Quilici, Keller, Devine, Staigmiller, Gunderson, Sverdsten: A bill for an act entitled: "An act appropriating monies for certain state agencies of government for the biennium ending June 30, 1971." Referred to Committee on Appropriations.

Harrison moved that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

June 14, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in, as amended, Extraordinary Session II House Bill No. 12 and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. THOMAS BULGER
Acting Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Extraordinary Session II House Bill No. 29, introduced by Fagg, Quilici, Burnett, Zody, Norman, Darrow, Harper, Parrish, Johnston, Swanberg, Schoonover, Kendall, McKittrick, Lombardi, Healy, Glennen, Marbut, Towe, Mather, Devine, Scott, Bradley, Nelstead, Cox, Warfield, Menahan, Baeth, McGrath, Fasbender, Shelden, Asbjornson, Hodges, T. Murphy, Bardanouve: A bill for an act entitled: "An act amending Section 26-202.1 and Section 26-202.6, R.C.M., 1947 relating to fees for resident and non-resident fishing licenses; providing an effective date." Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Selstad in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to Extraordinary Session II House Bill No. 12 be not concurred in.

That the Committee rise and report.

SELSTAD, Chairman

Report adopted.

Harrison moved that the Speaker appoint a Free Conference Committee of three to meet with a like committee from the Senate pertaining to Senate Amendments to Extraordinary Session II House Bill No. 12. Motion carried.

The Speaker appointed the following Free Conference Committee: Mather, Worden, Healy.

MOTIONS AND RESOLUTIONS

Aber, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse Committee of the Whole report on Extraordinary Session II House Joint Resolution No. 1 the previous day. Motion carried.

Harrison moved that the House adjourn until 10:00 a.m., June 16, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

TENTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 16, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Ellerd, McNamer, C. Smith, Sverdsten, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Ninth Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

June 16, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 10, respectfully report as follows: That Extraordinary Session II House Bill No. 10 be amended as follows:

Amend the title of Approved Committee of the Whole bill dated June 13, 1971, being lines 9 and 10 on page 1, following the word and punctuation "duties," on line 9 by striking the words and punctuation "providing for an appropriation therefore;"

Amend Section 20, subsection (d), page 13, lines 16 and 17, following the word "fund", by striking the words "pursuant to section 21 of this act".

Amend page 13, lines 18 through 29, by striking Section 21 in its entirety and by renumbering present Sections 22 through 24 to be new Sections 21 through 23.

Amend present Section 24, new Section 23, page 14, lines 18 through 23, by striking all of the material in that section and by inserting the following new material:

(new Section 23.) "This act shall be effective January 15, 1973."

And as amended do pass.

NICHOLS, Chairman

Report adopted.

HOUSE JOURNAL—EXTRAORDINARY SESSION II
FORTY-SECOND LEGISLATIVE ASSEMBLY

MESSAGES FROM THE GOVERNOR

June 15, 1971

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol
Helena, Montana

Dear Sir:

This will inform you that I have this day signed into law Extraordinary Session II House Bill 13.

Sincerely,

FORREST H. ANDERSON
Governor

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and assigned to committees:

Extraordinary Session II House Bill No. 30, introduced by McNamer. A bill for an act entitled: "An act to impose a license fee on all outdoor advertising signs, establish rate schedules for advertising signs, providing for issuing of permits by the Board of Equalization; providing a penalty; and establishing an effective date." Referred to Committees on Ways and Means.

Extraordinary Session II House Bill No. 31, introduced by Kvaalen. A bill for an act entitled: "An act to repeal House Bill No. 476 passed by the Forty-second Legislative Assembly during its regular session relating to an appropriation from the general fund to the State Board of Health for matching funds to local governments for construction of water pollution facilities subject to Section 69-4808.1, R.C.M. 1947. Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Bennett in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Joint Resolution No. 1 do not pass.

That the Committee rise and report.

BENNETT, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

June 16, 1971

Mr. Speaker: We, your Committee on Highways, having had under consideration Extraordinary Session II Senate Bill No. 1, respectfully report as follows: That Extraordinary Session II Senate Bill No. 1.

Be amended on page 1, section 1, line 23, after the word and punctuation "thereto," by deleting the following material "and finds that all outdoor advertising which does not conform to the requirements of the act are public nuisances.", and

Be amended on page 3, section 2(h), line 5 through and including line 7, by deleting the material therein in its entirety and inserting in lieu thereof the following material "(h) 'Visible' means capable of being seen, and legible, without visual aid by a person of normal visual acuity.", and

Be amended on page 3, section 2 (i), line 11 of the printed bill, by inserting after the word "legislation" the following: ",or state legislation itself.",

Be amended in section 3, page 5, line 13 after the word "commission." through line 17, by deleting the material therein in its entirety, and

Be amended on page 6, section 5, line 2, by striking in its entirety, and inserting in lieu thereof the following new material "(a) Signs shall not be erected or maintained which exceed 1,200 square feet in area including border and trim, but excluding base or apron, supports, and other structural members."

Be amended on page 7, section 5, by inserting new subsection (i) to read as follows "(i) Signs may be illuminated, subject to the following restrictions:

"1. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited, except those giving public service information such as time, date, temperature, weather or similar information.

"2. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the interstate or federal-aid primary highway or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interferes with any driver's operation of a motor vehicle are prohibited.

"3. No sign shall be so illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, devise, or signal." and renumbering the following subsections.

Be amended in section 6, page 7, line 30 of the printed bill, by deleting the material therein in its entirety and substituting in lieu thereof the words "fee of six dollars (\$6).", and

Be amended in section 6, line 3, page 8, by deleting the material "five dollars (\$5)" and putting in lieu thereof the words "three dollars (\$3)", and

Be amended on page 8, section 7, line 19 of the printed bill, after the words "that a" by adding the word "willful", and

Be amended on page 8, line 23, section 7 of the printed bill, by striking the material "or is otherwise in violation of this act.", and

Be amended on page 9, section 8 (2), line 12 of the printed bill, after the word "which" by striking the word "unlawful", and

Be further amended on page 9, section 8 (2), line 12 of the printed bill, after the word "advertising" by adding the words "believed to be unlawful", and

Be amended on page 9, section 8 (2), line 17, by striking the material "fifteen (15)" and inserting in lieu thereof the following material "forty-five (45)", and

Be amended on page 9, section 8 (2), line 21, after the word "complete" by inserting the words "transcript and", and

Be further amended on page 10, section 8 (2), line 6, after the word "its" by inserting the word and punctuation "transcripts," and

Be amended on page 10, section 8, line 18, after the word "removal" and the punctuation "." by adding the following new material "except for damage caused by negligence of the commission, its agents or employees"

Be amended on page 10, section 9, line 29, after the word and punctuation "domain." by adding the following new material "For the purposes of this act, just compensation shall be deemed to include severance damages to the remaining property, taking into consideration the unique nature of outdoor advertising as affected by this act, as well as the right of the landowner to erect and maintain sign structures on his property."

Be amended on page 11, section 10, line 16 through 23, by striking in its entirety and inserting in lieu thereof the following new material "The highway commission of the State of Montana is authorized to enter into an agreement with the secretary regarding the size, lighting and spacing of outdoor advertising, as provided in this act, which may be erected and maintained within the areas adjacent to the interstate and primary highway system which are zoned commercial, industrial, or in such other unzoned commercial or industrial areas as may be determined by agreement, and as provided in this act."

Be amended on page 12, section 12, after the word "commission" on line 2, by deleting the first three words on line 3, "is empowered to", and inserting in lieu thereof the word "must", and

And as amended do pass.

WOLF, Chairman

Report adopted.

Harrison moved that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

June 16, 1971

Mr. Speaker: We, your Committee on Rules, having had under consideration Extraordinary Session II House Bill No. 29, respectfully report as follows: That Extraordinary Session II House Bill No. 29 is outside the scope of the Governor's call and should not be considered further by this body.

HARRISON, Chairman

Harrison moved for adoption of the committee report.

As a substitute motion Fagg moved that further consideration of Extraordinary Session II House Bill No. 29 be postponed until a decision is obtained from the Governor's office. Motion withdrawn.

Harrison then withdrew his motion for adoption of the committee report.

June 16, 1971

Mr. Speaker: We, your Committee on Rules, having had under con-

sideration Extraordinary Session II House Bill No. 31, respectfully report as follows: That Extraordinary Session II House Bill No. 31 is outside the scope of the Governor's call and should not be considered further by this body.

HARRISON, Chairman

Harrison moved for adoption of the committee report.

As a substitute motion Kvaalen moved that the Rules Committee report be not adopted and that Extraordinary Session II House Bill No. 31 be referred to the Committee on Appropriations. Motion failed.

Thereupon the Rules Committee report was adopted.

MESSAGES FROM THE SENATE

June 16, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following members to a Conference Committee to confer with a like committee from the House on Senate Amendments to Extraordinary Session II House Bill No. 12.

Senator Nees—Chairman
Senator Sheehy
Senator Turnage

Respectfully,

J. THOMAS BULGER

June 16, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the present Conference Committee appointed to confer on Senate Amendments to Extraordinary Session II House Bill No. 12 and a Free Conference Committee was appointed.

The President appointed the following:
Senator Nees—Chairman
Senator Sheehy
Senator Turnage

Respectfully,

J. THOMAS BULGER
Acting Secretary
of the Senate

Harrison moved that the House recess until 3:30 p.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Extraordinary Session II House Bill No. 32, introduced by Lockrem, A bill for an Act entitled: "An Act to apportion the Legislative Assembly according to the 1970 federal census; repealing Sections 43-106.1 and 43-106.2, R.C.M. 1947; and providing an effective date." Referred to Committee on Reapportionment.

Extraordinary Session II House Resolution No. 1, introduced by Edland, Knudsen, Lund. A Resolution of the House of Representatives of the State of Montana urging the National Aeronautics and Space Administration (NASA) to consider Montana for the site of the space shuttle program. Referred to Committee on Rules.

Extraordinary Session II House Resolution No. 2, introduced by Knudsen, Lund, Edland, Clemow, E. Smith, East. A Resolution of the House of Representatives of the State of Montana urging the Army Corps of Engineers to improve the aquatic conditions of the Fort Peck Area in order to promote northern pike fishing in the area; either by constructing rearing ponds and a fish hatchery or the installation of a multigated outlet structure or both. Referred to Committee on Rules.

Harrison moved that the House recess until 5:00 p.m. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Mather reported that the Free Conference Committee on Senate Amendments to Extraordinary Session II House Bill No. 12 will meet again at 9:00 a.m. June 17, and if deadlocked then, will request to be discharged.

Harrison moved that the House adjourn until 10:00 a.m. June 17, 1971. Motion carried.

House adjourned.

ZACK STEVENS, Chief Clerk

JAMES P. LUCAS, Speaker

ELEVENTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 17, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Brand, Ellerd, Staigmiller, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Tenth Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Giesick in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Business on Second Reading, recommend as follows:

That Extraordinary Session II House Bill No. 10 be passed for the day.

That Extraordinary Session Senate Bill No. 1, as amended

Be amended in Section 3, page 5, line 13, by striking the amendment adopted June 16, 1971, and reinstating the language that was deleted, and

As amended be passed for this sitting.

That the Committee rise and report and beg leave to sit again.

GIESICK, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

June 17, 1971

Honorable Thomas L. Judge
President of the Senate
State Capitol
Helena, Montana

Honorable James P. Lucas
Speaker for the House
State Capitol
Helena, Montana

Gentlemen:

Improvement in the administration of justice is the cornerstone of the effort now being made to improve the status of law and order at the State and national level. Chief Justice Warren Burger of the United States Supreme Court has cited inadequate pay of our State Judiciary as one of the chief defects in the administration of justice in this country.

Today, only two states in the Union pay their trial judges less than Montana does: If we are merely to maintain the quality of our judiciary in this State, to say nothing of improving it, we must increase the incentive of our best lawyers to leave the practice of law for service in the judiciary. The salary now provided by Montana law fails to provide that incentive.

At the regular session of this legislature, the salary of the Chief Justice of Montana was increased to \$24,000, and the salary of Associate Justices was increased to \$22,500 (SB 183, Chapter 314, Session Laws of 1971). My experience as lawyer, justice and Attorney General has taught me that the need for well qualified judges at the trial level is at least as great as it is at the appellate level. For this reason, I noted with deep regret and misgiving, the failure at the regular session of Senate Bill 194, which would have provided a modest increase in salary for our district judges.

I am, therefore, requesting this Special Session of the 42nd Legislative Assembly to consider an increase in the annual salary of district judges.

Sincerely,

FORREST H. ANDERSON
Governor

MOTIONS AND RESOLUTIONS

Hall moved that Extraordinary Session II House Bill No. 10 be taken from Second Reading and referred to Judiciary Committee. Motion carried.

Harrison moved that the House recess until 2:30 p.m.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

June 17, 1971

Mr. Speaker: We, your Committee on Rules, having had under consideration Extraordinary Session II House Resolution No. 1, respectfully report as follows: That Extraordinary Session II House Resolution No. 1 is not within the scope of the Governor's call and should not be considered further by this body.

HARRISON, Chairman

Report adopted.

June 17, 1971

Mr. Speaker: We, your Committee on Rules, having had under consideration Extraordinary Session II House Resolution No. 2, respectfully report as follows: That Extraordinary Session II House Resolution No. 2 is not within the scope of the Governor's call and should not be considered further by this body.

HARRISON, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session II House Bill No. 33, introduced by Mather, Warfield, Devine, Lynch, Harper, Lockrem, Nelstead, Anderson, Glennen, Healy, Edland, Schoonover, Quilici, Baeth: A bill for an act entitled: "An act to fix salaries for the district court judges; amending Section 93-303, R.C.M., 1947." Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Giesick in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II Senate Bill No. 1, as amended

Be amended in the title by striking the period and adding the following: ", and providing an effective date."

Be amended in Section 3 by striking out in line 13 the amendment adopted June 16, 1971, and inserting in lieu thereof the words "The exception granted by this subsection shall not apply to signs, displays and devices located within an unzoned area in which the commercial or industrial activity used in defining the area has ceased for a period of nine (9) months.", and

Be further amended in Section 5, sub-section c, page 6, line 4, by

deleting the words "25 feet" and adding the following: "40 feet, as measured from the ground or, if the sign is attached to a structure, as measured from the base of the sign itself", and

Be further amended in Section 9, page 10, line 29 by deleting the following material: "for the purposes of this act, just compensation shall be deemed to include severance damages to the remaining property, taking into consideration the unique nature of outdoor advertising as affected by this act, as well as the right of the landowner to erect and maintain sign structures on his property.", and

As amended, do pass.

That the Committee rise and report.

GIESICK, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and consider Extraordinary Session II Senate Bill No. 1 on Third Reading this day. Motion carried.

Swan moved that Extraordinary Session II House Bill No. 33 be taken from Committee on Judiciary and placed in Committee on State Administration. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and assigned to committee:

Extraordinary Session II House Resolution No. 3, introduced by Keller, Brown, Bradley, Haines, Kolstad, Norman, Schoonover, Yardley E. Smith: A Resolution of the House of Representatives of the State of Montana asking the Montana congressional delegation to seek increased federal funds for student assistance programs, and specifically the Work Study Program. Referred to Committee on Rules.

THIRD READING OF SENATE BILLS

The following bill having been read three several times was disposed of in the following manner:

Extraordinary Session II Senate Bill No. 1, was concurred in by the following vote:

Ayes: Ainsworth, Anderson, Baeth, Bardanouve, Bennett, Bradley, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Eggebrecht, Fagg, Fasbender, Fleming, Gerke, Giesick, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hodges, Jackson, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lynch, McKittrick, Marbut, Mather, Mehrens, Menahan, T. Murphy, Nichols, Norman, Parrish, Patrick, Kropp, Prevost, Quilici, Schoonover, Scott, Shelden, E. Smith, Swanberg, Towe, Warfield, Watt, Weeding, Wolf, Worden, Yardley, Zody, Mr. Speaker. Total 66.

Noes: Aber, Asbjornson, Aspevig, Burnett, Campbell, East, Edland, Falkenstern, Thomas, Forester, Hemstad, Himsl, Keller, Knudsen, Lockrem, Lund, Lundgren, McGrath, McNamer, Marks, J. Murphy, Olson, Nelstead, Robbins, Selstad, C. Smith, Snortland, Spilde, Sverdsten, Swan, Ulmer, Whitney, Zimmer. Total 33.

Absent or not voting: Haines, Johnston. Total 2.

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Excused: Brand, Ellerd, Staigmiller. Total 3.

Harrison moved that the House recess until 4:45 p.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Harrison moved that the House adjourn until 11:00 a.m., June 18, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

TWELFTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 18, 1971

House convened, pursuant to adjournment, at 11:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Brand, Ellerd, Haines, Laas, Schoonover, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Eleventh Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session II House Resolution No. 4, introduced by Bardanoue: A Resolution of the House of Representatives of the State of Montana directing the Secretary of State to send verifax copies of each bill and resolution signed by the Governor to the Legislative Council. Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

June 16, 1971

Mr. Speaker: We, your Committee on Legislative Modernization, having had under consideration the subject of revising and improving letterheads and envelopes for use by the members of the House of Representatives, do hereby recommend as follows:

1. That the House adopt as standard letterheads and envelopes the samples suggested by Representative Gary R. Marbut; including

- (a) layout)
- (b) type style and size)
- (c) ink color) Congressional

2. That the state seal engraving which appears on our old letterheads be used on the new, in lieu of the sample.

3. That letterheads and envelopes be personalized for each member, beginning with the 43rd Assembly.

4. That a supply of non-personalized letterheads be provided for general and emergency use.

5. That the letterheads be printed on "Montana Bond."

6. That the finished size of the letterheads be standard 8½ x 11.

7. That, when adopted, copies of this report be filed in the office of the House Sergeant-at-Arms and the Legislative Council for the use and guidance of the 43rd Assembly, and that copies of the sample letterhead be attached hereto.

DARROW, Chairman

Darrow moved for adoption of the committee report. Motion failed.

Harrison moved that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Harrison moved that the House recess until 3:30 p.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

June 18, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Fred Thomas be added to the payroll as Page, effective June 18, 1971.

SPILDE, Chairman

Report adopted.

June 18, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary Session II HB No. 30, respectfully report as follows: That Extraordinary Session II House Bill No. 30 do not pass.

ULMER, Chairman

Ulmer moved for adoption of the Committee report.

As a substitute motion, McNamer moved that Extraordinary Session II House Bill No. 30 be printed and placed on Second Reading. Motion failed.

The committee report was adopted.

June 18, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary Session II House Bill No. 8, respectfully report as follows: That Extraordinary Session II House Bill No. 8 do not pass.

ULMER, Chairman

Report adopted.

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FORTY-SECOND LEGISLATIVE ASSEMBLY

June 18, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 28, respectfully report as follows: That Extraordinary Session II House Bill No. 28 do pass.

NICHOLS, Chairman

Report adopted.

MESSAGES FROM THE SENATE

June 18, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day passed Extraordinary Session II Senate Bill No. 2, introduced by Flynn and Dzivi, and the bill is herewith transmitted to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate
June 18, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did not concur in Extraordinary Session II House Bill No. 9, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow Extraordinary Session II House Bill No. 28 to be considered on Second Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary Session II House Bill No. 34, introduced by Marks, by request: A bill for an act entitled: "An act appropriating one hundred fifty thousand dollars (\$150,000) to the Department of Administration for the acquisition of land for the Capitol complex; said purchase to be subject to approval by the Capitol Building and Planning Committee." Referred to Committee on Appropriations.

Extraordinary Session II House Bill No. 35, introduced by Schoonover, Christiansen, Harper, Gunderson, Edland, Yardley, Fasbender, Watt, Greely, Fleming, Swanberg: A bill for an act entitled: "An act imposing a real estate transfer tax." Referred to the Committee on Ways and Means.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Scott in the Chair. Committee arose.

House resumed. Mr. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Bill No. 28 be amended in the title, line 6, after "1971" by inserting a comma (,) and the following words "and providing an effective date.", and

As amended, do pass.

That the Committee rise and report.

SCOTT, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and consider Extraordinary Session II House Bill No. 28 correctly engrossed and place it on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill having been read three several times, was disposed of in the following manner:

Extraordinary Session II House Bill No. 28 passed by the following vote:

Ayes: Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fasbender, Fleming, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Keller, Kendall, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Kropp, Nelstead, Prevost, Quilici, Robbins, Scott, Selstad, Shelden, Spilde, Staigmiller, Swanberg, Towe, Watt, Weeding, Yardley, Zimmer, Zody. Total 70.

Noes: Aber, Ainsworth, Burnett, Campbell, East, Falkenstern, Thomas, Forester, Giesick, Hemstad, Johnston, Lockrem, Marbut, Olson, C. Smith, E. Smith, Snortland, Ulmer, Warfield, Wolf. Total 20.

Absent or not voting: Bardanouve, Fagg, Knudsen, McNamer, Mather, Sverdsten, Swan, Whitney, Worden, Mr. Speaker. Total 10.

Excused: Ellerd, Haines, Laas, Schoonover. Total 4.

Paired: McGrath, yes; Forester, no. Lee, yes; Lockrem, no.

Harrison moved that the House recess until 5:15 p.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session II House Bill No. 36, introduced by Giesick, by request: A bill for an act entitled: "An act to amend Section 84-4902.1,

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R.C.M., 1947, to increase the surtax; and providing an effective date.” Referred to Committee on Ways and Means.

Harrison moved that the House adjourn until 10:00 a.m., June 19, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

THIRTEENTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 19, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call and all members were present except Bennett, Ellerd, Haines, Hall, Laas, Lee, Norman, Robbins, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Twelfth Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Extraordinary Session II Senate Bill No. 2, introduced by Flynn, Dzivi. A Bill for an Act Entitled: “An Act to provide for relocation assistance to persons displaced as a result of acquisition of land for federally assisted programs and to provide for acquisition practices.” Referred to Committee on Public Health, Welfare and Safety.

Extraordinary Session II House Bill No. 37, introduced by Kvaalen. A bill for an Act Entitled: “An Act appropriating eight thousand dollars (\$8,000) to the Legislative Council to study the Foundation Program and make recommendations for improvement of the Foundation Program structure to the Forty-Third Legislative Assembly.” Referred to Committee on Appropriations.

Dye moved that the House recess until 11:30 a.m., this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

June 19, 1971

Mr. Speaker: We, your Committee on Legislative Administration, rec-

ommend that the following Pages be removed from the payroll effective dates as listed.

Nancy Maurer
William Watkins

June 18
June 12

SPILDE, Chairman

Report adopted.

Harrison moved that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

June 19, 1971

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Extraordinary Session II House Bill No. 12, beg leave to report as follows:

(All references in this report are to Extraordinary Session II House Bill No. 12 approved by the Committee of the Whole June 10, 1971, as amended by the Senate June 12, 1971.)

That the title be amended by striking all of the language in the title following the word "Entitled:" in line 6 of page 1 of the bill and inserting in lieu thereof the following:

"Providing for a referendum to be submitted to the electors in November, 1971, for a law which provides for the levying of a two percent (2%) sales and use tax to support state government; providing for the administration thereof and for penalty in case of violation thereof; providing for an income tax refund or credit for sales and use tax upon food, drugs and related items; providing an increase in income tax surtax to forty percent (40%) by amending Section 84-4902.1, R.C.M. 1947, for calendar 1971 if the referendum passes; providing for the continuance of such surtax rate to December 31, 1972, if the referendum fails; providing for repeal of acts of parts of acts in conflict herewith and providing effective dates."

Amend Section 2 sub-paragraph (iv) in lines 24 through 30 of page 3 and lines 1 through 7 of page 4 by striking sub-paragraph (iv) in its entirety.

Amend Section 2 sub-paragraph (viii) in lines 21 through 24 of page 4 by striking sub-paragraph (viii) in its entirety.

Amend Section 2 sub-section (5) in line 25 of page 5 by adding the following after the period:

"In the case of motor vehicles the proceeds of the tax levied under this act shall be deposited in the general fund and not credited to the state highway fund irrespective of any other provision of law."

Amend Section 5 after line 14 on page 11 by adding the following:

"(11) Fuels used for the propulsion of vehicles on the public highways and which are included within the provisions of Article XII, Section 1 b. of the Constitution of Montana."

Amend Section 16, line 17, page 21 by striking the word "him" and inserting in lieu thereof the following: "the state board of equalization".

Amend Section 23, line 1, page 26 by striking the word "him" and inserting in lieu thereof the word "it".

Further amend Section 23, sub-section (b) in line 11, page 26 by striking the word "him" and inserting in lieu thereof the word "it".

Amend Section 24, sub-section (a) in line 2, page 27 by striking the word "his" and inserting in lieu thereof the word "its".

Further amend Section 24, sub-section (b) in line 16, page 27 by striking the word "his" and inserting in lieu thereof the word "its".

Further amend Section 24, sub-section (c) in line 28, page 27 by striking the word "his" and inserting in lieu thereof the word "its".

Further amend Section 24, sub-section (c) in line 10, page 28 by inserting before the word "citing" the following: "petitioning any court of record for an order".

Further amend Section 24, sub-section (c) in line 11, page 28 by striking the word "any" and inserting in lieu thereof the word "said".

Amend Section 26 in line 10, page 29 by striking the word "him" and inserting in lieu thereof the word "it".

Amend Section 27 in line 14, page 30 by striking the word "he" and inserting in lieu thereof the word "it".

Amend Section 27, line 15, page 30 by striking the word "his" and inserting in lieu thereof the word "its" and also striking the word "he" and inserting in lieu thereof the word "it".

Amend Section 28, sub-section (c) in line 1, page 32 by striking the word "his" and inserting in lieu thereof the word "its".

Amend Section 34 in line 22, page 34 by striking the word "He" and inserting in lieu thereof the word "It".

Amend Section 39 sub-section (c) on page 36 by striking this sub-section in its entirety and inserting in lieu thereof the following:

"(c) A portion of the amount deposited in the "Sales and Use Tax Fund" not exceeding two hundred thousand dollars (\$200,000) to June 30, 1972, and not exceeding seven hundred fifty thousand dollars (\$750,000) in any fiscal year thereafter shall be retained and is hereby appropriated as a "Sales and Use Tax Administration and Enforcement Fund" for the purposes of administration and enforcement of this act; there shall be retained in the "Sales and Use Tax Fund" such amounts as are necessary for the purpose of repaying overpayments made under this act, for the purpose of paying any other erroneous receipts illegally assessed, collected, or which are excessive in amount, and for the payment of the income tax credits or refunds otherwise provided in this act, and there is hereby appropriated from this fund so much as may be necessary for the payment of said refunds and credits."

Further amend Section 39, lines 27 through 30 of page 36 and lines 1 through 11 of page 37 by omitting all words, figures and punctuation following "(d)" in its entirety. Omit the following on line 12, page 37: "(2)".

Amend Section 40 in line 18 of page 37 by inserting after the figures "1971" the following: "and 1972".

And further amend Section 40 in line 20 of page 37 by striking the words and figures "twenty-two percent (22%)" and inserting in lieu thereof the words and figures "forty percent (40%)".

And amend Section 41 in lines 24 through 30 of page 37 and lines 1 through 30 of page 38, and lines 1 through 19 of page 39 by striking Section 41 in its entirety and inserting in lieu thereof the following:

"Section 41. Refund or Credit for Sales and Use Tax upon Food, Drugs and Other Related Items. The state board of equalization shall allow a refund or credit to persons who file individual income tax returns under the Montana Income Tax Act (sections 84-4901 et seq., R.C.M. 1947) for taxable years beginning on and after January 1, 1972, and who have continuously resided in this state for the twelve (12) months ending on the last day of their taxable year. The refund shall be made for each exemption, including that for blindness or age sixty-five (65) years or over, for which a deduction is claimed on the taxpayer's Montana income tax return except that no refund or credit may be claimed for an exemption which represents a person filing a Montana income tax return claiming a deduction for his own personal exemption. In no event shall more than one (1) taxpayer be allowed refund or credit for the same exemption. The refund or credit shall be computed by multiplying ten dollars (\$10) times each exemption for which a deduction is allowable. The refund or credit shall be allowed each person who files an individual income tax return and shall be paid out of monies collected under the sales and use tax hereinabove provided for, and as follows:

(1) If no income tax is due the state, the refund shall be paid to the person filing the return;

(2) if income tax due is less than the computed amount, the difference between the income tax due and the computed amount shall be paid to the person filing the return;

(3) if income tax due is greater than the computed amount, the computed amount shall be allowed as a credit."

Amend Section 42 in lines 20 through 24 on page 39 by striking this section in its entirety and inserting in lieu thereof the following:

"Section 42. Referendum. There shall be a referendum upon this act except for Sections 40 and 46 to be submitted to the electors of this state at a special general election to be held November 2, 1971, for their approval or rejection."

Amend Section 43 in lines 25 through 30 of page 39 and lines 1 through 6 of page 40 by striking this section in its entirety and inserting in lieu thereof the following:

"Section 43. The referendum shall be submitted to the electors on an official ballot which shall contain the title of this act and the number of the referendum. The question shall be presented in the following form:

☐ For Referendum Measure No.

For reduction of the 40% Income Tax Surtax to 10% and for the enactment of the 2% Sales and Use Tax.

☐ Against Referendum Measure No.

Against reduction of the 40% Income Tax Surtax to 10% and against enactment of the 2% Sales and Use Tax."

Amend by adding a new section to be designated Section 44 (and renumber the succeeding sections accordingly); on page 40 between lines 6 and 7 as follows:

"Section 44. Reduced Income Surtax. If the majority of the electors vote in the affirmative on the referendum provided for in Sections 42 and 43, Section 84-4902.1, R.C.M. 1947 shall be amended to read as follows:

"84-4902.1. Surtax. After the amount of tax liability has been computed for all taxable years ending in 1971"[and 1972]", each person filing

a Montana individual income tax return shall add, as a surtax, forty per cent (40%) of the tax liability and the amount so arrived at is the amount due the state of Montana. Thereafter the surtax shall be ten percent (10%) of the tax liability."

Amend Section 44 (now Section 45) of the bill in lines 8 and 9 on page 40 by inserting a period in lieu of the comma and by striking the following: "an specifically section 37-110, R.C.M. 1947."

Amend Section 45 (now Section 46) of the bill by striking this section in its entirety and inserting in lieu thereof the following:

"Section 46. Effective Date.

(a) Section 40 of this act shall be effective upon passage and approval.

(b) If approved by a majority of the voters voting for and against the referendum herein provided the Sales and Use Tax shall be imposed upon all taxable transactions occurring on and after January 1, 1972."

All sections, sub-sections and sub-paragraphs shall be renumbered or redesignated in accordance with this report.

That the Senate recede from its amendments of June 12, 1971, except as hereinabove set forth.

And that said Extraordinary Session II House Bill No. 12 as hereby amended be approved.

For the Senate: NEES
SHEEHY
TURNAGE

For the House: MATHER
WORDEN
HEALY

Mather moved adoption of the committee report. The report was adopted by the following vote:

Ayes: Aber, Anderson, Asbjornson, Baeth, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Falkenstern, Fasbender, Thomas Fleming, Glennen, Greely, Gunderson, Harper, Himsl, Hodges, Jackson, Knudsen, Kosen, Lanthorn, Lien, Lockwood, Lund, Marks, Murphy, J. Murphy, T. Nichols, Parrish, Prevost, Schoonover, Shelden, Staigmiller, Sverdsten, Swanberg, Towe, Ulmer, Watt, Whitney, Worden, Yardley, Zimmer. Total 51.

Noes: Ainsworth, Aspevig, Brand, Burnett, East, Ellerd, Fagg, Forster, Gerke, Giesick, Harrison, Healy, Hemstad, Johnston, Keller, Kolstad, Kvaalen, Lockrem, Lombardi, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Menahan, Olson, Patrick, Kropp, Nelstead, Scott, Selstad, Smith, C., Smith, E., Snortland, Spilde, Swan, Warfield, Wolf, Mr. Speaker. Total 41.

Absent or not voting: Bardanouve, Kendall, Mehrens, Quilici, Weeding. Total 5.

Excused: Bennett, Haines, Hall, Laas, Lee, Norman, Robbins. Total 7.

Paired: J. Murphy, Yes; Ellerd, No.

MESSAGES FROM THE GOVERNOR

June 19, 1971

Honorable Thomas Judge
President of the Senate
State Capitol

Honorable James P. Lucas
Speaker for the House
House of Representatives
State Capitol

Gentlemen:

In accordance with a decision by the Montana Supreme Court (Chicago, Milwaukee, St. Paul and Pacific Railroad Co. v. Bennett, 45 Mont. 191, 1965) county commissioners have been denied the authority to transfer monies from one fund to another. This has created a fiscal dilemma which otherwise might not exist: counties have been unable to meet their obligations in one fund, while other funds have a positive balance. The recent experience in Mineral County is a good example.

In the interest of good government and to correct this situation, I hereby request the 42nd Legislature, convened in Second Extraordinary Session, to consider and act upon the subject hereinafter specified:

Repeal of Section 16-2048, R.C.M. 1947, and amendment of Section 16-1904, R.C.M. 1947, to authorize the transfer of excess monies from one fund to another as the county commissioners deem necessary.

Sincerely,

FORREST H. ANDERSON
Governor

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the rules to allow the re-introduction of Extraordinary Session II House Bill No. 38.

Keller asked a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion carried by the following vote:

Ayes: Aber, Anderson, Baeth, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Fasbender, Thomas, Fleming, Forester, Gerke, Glennen, Greeley, Gunderson, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McKittrick, Marks, Mather, Mehrens, Menahan, Murphy, J., Murphy, T., Nichols, Norman, Parrish, Nelstead, Prevost, Quilici, Robbins, Schoonover, Shelden, Smith, C., Snortland, Staigmillar, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 78.

Noes: Ainsworth, Asbjornson, Aspevig, Burnett, Cox, Fagg, Giesick, Keller, Lockrem, McGrath, McNamer, Marbut, Olson, Patrick, Kropp, Scott, Selstad, Smith, E., Swan, Wolf. Total 20.

Absent or not voting: Bardanouve, Lundgren, Spilde, Weeding. Total 4.

Excused: Haines, Hall. Total 2.

Paired: Quilici, Yes; Giesick No. Bennett, Yes; Swan, No. Ellerd,

Yes; Burnett, No. Mehrens, Yes; Ainsworth, No. Lee, Yes; Patrick No. Kendall, Yes; McGrath, No. Robbins, Yes; Fagg, No. Norman, Yes; Wolf, No. Laas, Yes; McNamer, No.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session II House Bill No. 38, introduced by Christian-sen, Ulmer, Fasbender, Greely, Lockwood. A bill for an Act Entitled: "An Act to amend Section 84-1501, R.C.M. 1947, as amended by Chapter 333, Session Laws of 1971, to provide that the corporation license tax be increased to six and three quarters percent (6-¾ %); and providing an effective date." Referred to Committee on Ways and Means.

Harrison moved that the House adjourn until 1:30 p.m., June 20, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

FOURTEENTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 20, 1971

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Anderson, Cox, Darrow, Haines, Hemstad, Kendall, Kolstad, McKittrick, McNamer, J. Murphy, T. Murphy, Norman, Robbins, Selstad, Swan, Weeding, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Thirteenth Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

The Speaker signed Extraordinary Session II Senate Bill No. 1 in open session.

MESSAGES FROM THE SENATE

June 19, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call adopted the report of the Free Joint Conference Committee Report on Senate Amendments to Extraordinary Session II House Bill No. 12, and the committee was discharged.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

SPECIAL ORDERS OF THE DAY

Representative Fagg explained the reapportionment plan worked out by the Special Committee on Reapportionment.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary Session II House Bill No. 39, introduced by Gunderson, Towe, Hodges, Staigmiller, Edland, Fasbender, Jackson, Sverdsten: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Extraordinary Session Chapter 3 of the Session Laws of 1971." Referred to Committee on Reapportionment.

Extraordinary Session II House Bill No. 40, introduced by Fagg, Campbell, Lundgren, Kosena, Aber, Ellerd, Zody: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947." Referred to Committee on Reapportionment.

Lanthorn moved that the House adjourn until 12:00 noon, June 21, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

FIFTEENTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 21, 1971

House convened, pursuant to adjournment, at 12:00 noon.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Giesick, Haines, Shelden, Warfield, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fourteenth Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

June 21, 1971

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration Extraordinary Session II House Bill No. 40, respectfully report as follows: That Extraordinary Session II House Bill No. 40 be amended as follows:

Amend Section 1, page 2, line 4 following the word and punctuation "Stillwater," by striking the following words "Red Lodge" and inserting in lieu thereof the following word: "Carbon".

Amend Section 2, page 4, line 12 following the word and punctuation "Stillwater," by striking the following words "Red Lodge" and inserting in lieu thereof the following word: "Carbon".

Amend Section 3, subsection 1, page 6, line 1 following the word "petition" by inserting the following words, figures and punctuation: "and said petition shall substantially meet all of the requirements of a petition for initiative and referendum as provided in Sections 37-101, 37-102 and 37-103, R.C.M., 1947."

Amend Section 3, subsection (5), page 7, line 18 following the word and punctuation "population." by adding the following material: "Boundaries of the single-member districts shall follow the census enumerator division lines."

Amend Section 4, lines 19 through 30 of page 7 and lines 1 through 18 of page 8 of the introduced bill by striking Section 4 in its entirety and inserting in lieu thereof the following:

"Section 4. The senators shall be elected for a term of four years and they shall be divided into two classes with terms concluding in alternate bienniums. The terms of office of those senators in districts 8, 13, 17, 18, 20, 21 and 22 will continue as they presently exist, and they will run for re-election upon expiration of their present terms of office. The terms of office of all other senators will expire on the first Monday of January, 1973.

The senators elected in districts 1, 2, 5 and 6 shall be elected for a term of four (4) years. The senators elected in districts 3, 4, 11, 12, 14, 15, 16, 19 and 23 shall, pursuant to the regulations to be promulgated by the Secretary of State, draw lots for the purpose of determining which of said elected senators of said districts shall serve for four (4) years and which shall serve for two (2) years to the end that in each of the said districts, insofar as possible, one-half of the senators shall serve for four (4) years and one-half for two (2) years; provided, however, that in districts 11, 12 and 16 the senators there elected shall draw lots to determine which one of the three in each district shall be subject to the drawing hereinafter mentioned.

The remaining senators from districts 11, 12 and 16 shall themselves draw lots to determine which shall serve for four (4) years and which shall serve for two (2) years. The names of elected senators from districts 7, 9 and 10, including the one from each of districts 11, 12 and 16, aforesaid, shall be placed in a receptacle from which the Secretary of State shall draw three (3) names. The senators whose names are thus drawn shall serve for four (4) years and the remainder not drawn shall serve for two (2) years."

And, as amended, do pass.

FAGG, Chairman

Report adopted.

MESSAGES FROM THE SENATE

June 21, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day passed Extraordinary Session II Senate Bill No. 4, introduced by McCallum, et al, and the bill is herewith transmitted to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow consideration of Extraordinary Session II House Bill No. 40 on Second Reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary Session II House Bill No. 41, introduced by Asbjornson, Spilde, Aspevig: A bill for an act entitled: "An act to appropriate monies to the units of the Montana University System, the Agricultural Experiment Station, the Cooperative Extension Service, the Western Interstate Commission for Higher Education, the office of the Executive Secretary of the Montana University System and the School for the Deaf and Blind, State Superintendent of Public Instruction, including the funding of the Foundation Program, the Board of Education, and Vocational Education, the State Advisory Council for Vocational-Education, for personal services, operation, and capital expenditures for the biennium ending June 30, 1973." Referred to Committee on Appropriations.

Extraordinary Session II Senate Bill No. 4, introduced by McCallum, Dziwi, Carl, Sheehy, McGowan, Deschamps, Mackay, Broeder, Goodheart, Cotton, Hanks, Moritz, Flynn, Bertsche, Mathers, Hughes, Hazelbaker, Rosell, Siderius, Sorensen, DeWolfe, Lowe, Drake, Klindt, Keenan: A bill for an act entitled: "An act amending Section 16-1904, R.C.M., 1947, to allow county commissioners to transfer excess funds; repealing Section 16-2048, R.C.M., 1947; and providing an effective date." Referred to Committee on Townships and Counties.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Mather in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows.

That Extraordinary Session II House Bill No. 40 be amended in Section 4, page 7, lines 19 through 29 after the word and figure "Section 4." on line 19 and before the punctuation and word "pursuant" on line 29 of Extraordinary Session II House Bill No. 40 by deleting the material in its entirety and inserting in lieu thereof the following material: "The senators shall be elected for the term of four years and they shall be divided into two classes with terms concluding in alternate bienniums. The terms of office of all senators will expire on the first Monday of January, 1973. The senators elected in all districts shall", and

Be further amended in Section 4, page 8, lines 5 through 18 after the word "years" on line 5 by inserting a period and by deleting the material on said lines in its entirety, and

As amended, do pass.

That the Committee rise and report.

MATHER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and allow Extraordinary Session II House Bill No. 40 to be considered correctly engrossed and placed on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Extraordinary Session II House Bill No. 40 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Dye, Ellerd, Fagg, Thomas, Fleming, Forester, Glennen, Greeley, Harrison, Hemstad, Himsl, Johnston, Keller, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lockrem, Lockwood, Lombardi, Lundgren, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Olson, Parrish, Patrick, Kropp, Nelstead, Schoonover, Scott, Selstad, C. Smith, E. Smith, Snortland, Swanberg, Ulmer, Weeding, Wolf, Worden, Zody, Mr. Speaker. Total 63.

Noes: Anderson, Baeth, Brand, Devine, East, Edland, Eggebrecht, Falkenstern, Fasbender, Gunderson, Hall, Harper, Healy, Hodges, Jackson, Kendall, Lee, Lien, Lund, Lynch, Marbut, T. Murphy, Norman, Prevost, Quilici, Robbins, Spilde, Staigmiller, Sverdsten, Swan, Towe, Watt, Whitney, Yardley, Zimmer. Total 35.

Absent or not voting: Gerke, McGrath. Total 2.

Excused: Giesick, Haines, Shelden, Warfield. Total 4.

REPORTS OF STANDING COMMITTEES

June 20, 1971

Mr. Speaker: We, your Committee on Rules, having had under consideration Extraordinary Session II House Resolution No. 4, respectfully report as follows: That Extraordinary Session II House Resolution No. 4 is not within the scope of the Governor's call and should not be considered further by this body.

HARRISON, Chairman

Harrison moved for adoption of the committee report.

As a substitute motion, Bardanouve moved that Extraordinary Session II House Resolution No. 4 was within the Governor's call and that it be referred to the proper committee. Motion failed.

Thereupon, the original motion was adopted.

June 20, 1971

Mr. Speaker: We, your Committee on Rules, having had under consideration Extraordinary Session II House Resolution No. 3, respectfully report as follows: That Extraordinary Session II House Resolution No. 3 is not within the scope of the Governor's call and should not be considered further by this body.

HARRISON, Chairman

Harrison moved for adoption of the Committee report.

As a substitute motion, Keller moved that Extraordinary Session II House Resolution No. 3 is within the Governor's call and that it be referred to the proper committee. Motion failed.

Thereupon, the Committee report was adopted.

Harrison moved that the House adjourn until 10:00 a.m., June 22, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

SIXTEENTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 22, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Giesick, Haines, Shelden, E. Smith, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Fifteenth Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSEN

REPORTS OF STANDING COMMITTEES

June 22, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed and engrossed: Extraordinary Session II House Bill No. 40.

BROWN, Vice Chairman

June 22, 1971

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Extraordinary Session II Senate Bill No. 4, respectfully report as follows: That Extraordinary Session II Senate Bill No. 4 do pass.

FALKENSTERN, Chairman

Report adopted.

June 21, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary Session II House Bill No. 38, respectfully report as follows: That Extraordinary Session II House Bill No. 38

Be amended in Section 1 of the original and reproduced bill, page 2, line 1, following the word and punctuation "provided," by inserting the following new material "and except as provided in Section 40-2821 (5), R.C.M., 1947," and

Further amend in Section 1, page 2, line 14 following the deleted

figures "[1969]" by deleting the word and figures "[June 30, 1971]" and inserting in lieu thereof the following word and figures "February 28, 1971", and

Further amend in Section 2, page 4, line 8 following the word "after" by deleting the following word and figures "[June 30]" and inserting in lieu thereof the following word and figures "February 28", and

Further amend in Section 2, page 4, line 10 following the word "after" by deleting the following word and figure "[July 1]" and inserting in lieu thereof the following word and figures "February 28", and

Further amend on page 4, beginning on line 14 by adding the following new section "Section 3. This act shall be effective on passage and approval.", and

As so amended, do pass.

(Material in brackets denotes canceled type.)

ULMER, Chairman

Report adopted.

June 21, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 3, respectfully report as follows:

That Extraordinary Session II House Bill No. 3 be amended in Section 1, page 1, line 11, after the word "stated;" by striking all the material contained through and including the end of Section 12 on page 5, line 14, and inserting in lieu thereof the following material:

"(1) "Agency" includes all state offices, departments, divisions, boards, commissions, councils, committees, institutions, university units and other entities or instrumentalities of state government.

(2) "Program" means a segment that includes a combination of planned efforts to provide a service.

(3) "Approved budget amendment" means approval by the Governor of a request submitted through the director of the budget division to:

(a) obtain financing for new or expanded program from funds which were not available for consideration by the legislature but which have become available from a source other than state's general fund; or

(b) transfer appropriations, including general fund appropriations, between programs within a state agency; or

(c) expend remaining balances of the first fiscal year appropriations, including general fund appropriations, during the second fiscal year of the biennium, or

(d) change any agency operation plan.

Section 2. The appropriations contained in this act are intended to provide only necessary and ordinary expenditures for the year for which the appropriations are made. Except for amounts legally encumbered at the end of each fiscal year the unexpended balance of any appropriation shall revert to the fund from which it was appropriated. In case of necessity, an appropriation not expended during the first fiscal year of the biennium may be expended during the second fiscal year by approved budget amendment.

Section 3. The appropriations in this act are intended to provide for all expenditures for:

- (1) personal services;
- (2) all other ordinary and necessary expenditures for the operation of the agency and the program to which the appropriation applies;
- (3) repairs and maintenance, other than major alterations of existing buildings; and
- (4) the purchase or replacement of capital items other than expenditures for the construction, improvement, or furnishing of building or purchase of building or land unless specifically authorized.

Section 4. Financing for new or expanded programs from sources other than the general fund may be made available by approved budget amendment.

Section 5. Subject to law, each agency, with the exception of elected officials and their employees, shall submit for review and approval to the Director of the Budget division, on or before July 1 of each fiscal year, an operational plan within the limits of appropriations which includes the position and salary of all officers and employees, and no change shall be made in said operational plan without an approved budget amendment as provided in Section 1 (3) above.

The review and approval power of the Budget Director relating to the operational plan shall be limited to determining whether the plan is within appropriation limitations.

The salary of the chief administrator of each agency, commission, board, or institution shall be determined by the appointing authority subject to the provisions established in Section 1 (3) above.

Section 6. No new program may be established and no existing program may be expanded beyond the scope of the programs approved by the legislature in the 1973 biennial budget, unless the new program or the program expansion and its method of financing is approved by the Governor after presentation through the director of the budget division.

Section 7. Transfers of appropriated funds between programs of an agency may be made only by an approved budget amendment.

Section 8. If the operation of a state agency is financed by an appropriation or appropriations from the general fund as well as by appropriation from other sources, the funds provided by appropriation from the general fund shall be decreased by the amount that the funds received from other sources exceeds the amount from other sources appropriated by the legislature in the 1973 biennial budget, provided that:

- (1) the decrease does not jeopardize the receipt of the funds to be received from other sources; and
- (2) this section shall not apply to any excess funds if they are to be expended for a new or expanded program approved by the Governor upon a request submitted to him through the director of the budget division.

Section 9. When an agency receives federal funds as a reimbursement for a pro-rated share of administrative cost attributed to the operations of all state agencies involved, the federal funds shall be deposited into the general fund unless usage of the federal funds is restricted by federal provisions.

Section 10. The Governor after declaring an emergency, may reduce

any appropriation by not more than fifteen percent (15%) except appropriations for:

- (1) payment of interest and retirement of the state debt;
- (2) operation of the legislature;
- (3) public schools;
- (4) the judiciary; or
- (5) salaries of elected officials, during their term of office.

Section 11. An informational copy of each approved budget amendment shall be filed with the legislative auditor. The director of the budget division shall submit to the succeeding legislature a summary of all approved budget amendments made during the biennium together with the supporting data.

Section 12. If any section, subsection, sentence, clause, or phrase of this act is for any reason held unconstitutional, such decision shall not affect the validity of the remaining portions of this act.”, and

Be further amended in Section 14, page 6, line 30, by striking the figures “[635,250]” and “[665,742]”, and inserting in lieu thereof the figures “664,764” and “696,496”, and

Be further amended in Section 14, page 10, line 6, after the word “Center” by striking the following material: “[be restricted to a daily average population of one hundred (100) children for each fiscal year of the biennium]” and inserting in lieu thereof the following material: “not exceed one hundred (100) at any time during the biennium”, and

Be further amended in Section 14, page 14, line 20, by striking the figures “[12,650]” and “[12,150]” and inserting in lieu thereof the figures “13,650” and “13,150”, and

Be further amended in Section 14, page 15, line 25, by striking the figures “[1,136,471]” and “[1,194,622]” and inserting in lieu thereof the figures “1,143,191” and “1,201,665”, and

Be further amended in Section 14, page 16, line 26, by striking the figures “[29,516]” and “[127,641]” and inserting in lieu thereof the figures “34,024” and “132,366”, and

Be further amended in Section 14, page 16, line 28, by striking the figures “[186,250]” and inserting in lieu thereof the figures “206,250”, and

Be further amended in Section 14, page 17, line 7, by striking the figures “[45,000]” and inserting in lieu thereof the figures “25,000”, and

Be further amended in Section 14, page 18, line 15, by striking the figures “[17,625]” and “[17,625]” and inserting in lieu thereof the figures “23,625” and “23,625”, and

Be further amended in Section 14, page 19, line 23, by striking the figures “[3,571,978]” and “[3,743,433]” and inserting in lieu thereof the figures “3,579,178” and “3,750,633”, and

Be further amended in Section 14, page 22, line 4, by striking the figures “[355,683]” and “[370,613]” and inserting in lieu thereof the figures “369,037” and “384,604”, and

Be further amended in Section 14, page 22, line 6, by striking the figures “[152,540]” and “[156,340]” and inserting in lieu thereof the figures “188,540” and “190,840”, and

Be further amended in Section 14, page 22, line 9, by striking the figures “[470,400]” and inserting in lieu thereof the figures “513,720”, and

Be further amended in Section 14, page 22, line 13, by striking the figures "[138,251]" and "[140,166]" and inserting in lieu thereof the figures "168,251" and "174,166", and

As so amended, do pass.

NICHOLS, Chairman

(Material in brackets denotes canceled type.)

Report adopted.

June 22, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 6, respectfully report as follows: That Extraordinary Session II House Bill No. 6 be amended in Section 13, line 12, page 5 of the introduced bill by striking the figures "10,000" and inserting in lieu thereof the figures 21,000", and

Be further amended in Section 13, page 7, line 23 of the introduced bill by striking the figures "119,200" and "122,000" and inserting in lieu thereof the figures "139,000" and "142,800", and

As so amended, do pass.

(Material in brackets denotes canceled type.)

NICHOLS, Chairman

Report adopted.

June 22, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 41, respectfully report as follows: That Extraordinary Session II House Bill No. 41 be amended in Section 7, page 5, line 16 of the introduced bill, by striking the figures "7,050,000" and "7,050,000" and inserting in lieu thereof the figures "6,950,000" and "6,950,000", and

Be further amended in Section 7, page 5, line 30 of the introduced bill by striking the figures "7,155,000" and "7,155,000" and inserting in lieu thereof the figures "7,055,000" and "7,055,000", and

Be further amended in Section 7, page 8, line 5 of the introduced bill, by striking the figures "1,200,000" and "1,240,000" and inserting in lieu thereof the figures "1,175,000" and "1,215,000", and

Be further amended in Section 7, page 10, line 5 of the introduced bill, by striking the figures "300,000" and "300,000" and inserting in lieu thereof the figures "200,000" and "200,000", and

Be further amended in Section 7, page 10, following line 5, by inserting the following new material: "From the general fund to the board of regents for W.A.M.I. program 100,000 100,000", and

Be further amended in Section 7, page 10, line 11 of the introduced bill, by striking the figures "97,500" and "100,000" and inserting in lieu thereof the figures "90,000" and "90,000", and

Be further amended in Section 7, page 10, line 20 of the introduced bill, by striking the figures "300,000" and "313,000" and inserting in lieu thereof the figures "284,000" and "284,000", and

Be further amended in Section 7, page 11, line 4 of the introduced bill, by striking the figures "650,000" and "650,000" and inserting in lieu thereof the figures "614,700" and "629,401", and

Be further amended in Section 7, page 12, line 11 of the introduced bill,

by striking the figures "15,489,187" and "18,464,186" and inserting in lieu thereof the figures "17,825,052" and "19,881,766", and

Be further amended in Section 7, page 15, line 11 of the introduced bill, by striking the figures "1,750,000" and "1,800,000" and inserting in lieu thereof the figures "1,625,000" and "1,725,000", and

As so amended, do pass.

Report adopted.

NICHOLS, Chairman

June 22, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 23, respectfully report as follows: That Extraordinary Session II House Bill No. 23

Be amended in Section 12, page 5, line 11 of the introduced bill, by striking the figures "[65,000]" and "[67,000]" and inserting in lieu thereof the following figures: "122,000" and "102,000", and

Be further amended in Section 12, page 5, following line 11 of the introduced bill, by adding the following new material: "From the federal and private revenue fund communication account 45,000 90,000", and

Be further amended in Section 12, page 5, line 25 of the introduced bill, by striking the figures "[185,000]" and "[185,000]", and inserting in lieu thereof the figures "200,000" and "200,000", and

Be further amended in Section 12, page 6, line 15 of the introduced bill, by striking the figures "[130,000]" and "[138,000]" and inserting in lieu thereof the figures "142,417" and "148,138", and

Be further amended in Section 12, page 6, line 19 of the introduced bill, by striking the figures "[5,000]" and "[5,000]" and inserting in lieu thereof the figures "10,000" and "10,000", and

Be further amended in Section 12, page 7, line 17 of the introduced bill, by striking the figures "[132,500]" and "[132,800]" and inserting in lieu thereof the figures "126,300" and "126,500", and

Be further amended in Section 12, page 7, after line 21, by inserting the following new material:
"Reclamation Program

From the general fund	80,100	83,500
From the earmarked revenue fund, teachers' retirement account	6,000	7,000
From the earmarked revenue fund, PERS account	11,000	12,000
From the earmarked revenue fund, social security account	8,000	9,000
From the earmarked revenue fund, industrial accident administrative account	2,000	2,000", and

Be further amended in Section 12, page 9, line 17 of the introduced bill, by striking the figures "[79,586]" and "[80,909]" and inserting in lieu thereof the figures "124,586" and "125,909", and

Be further amended in Section 12, page 11, line 21 of the introduced bill, by striking the figures "[16,648]" and "[17,798]" and inserting in lieu thereof the figures "18,148" and "19,298", and

Be further amended in Section 12, page 11, line 29 of the introduced bill, by striking the figures "[78,830]" and "[102,407]" and inserting in lieu thereof the figures "92,741" and "120,479", and

Be further amended in Section 12, page 12, line 19 of the introduced bill, by striking the figures "[66,272]" and "[68,567]" and inserting in lieu thereof the figures "68,772" and "71,067", and

Be further amended in Section 12, page 12, line 21 of the introduced bill, by striking the figures "[82,233]" and "[83,583]" and inserting in lieu thereof the figures "84,733" and "86,083", and

Be further amended in Section 12, page 13, after line 13, by adding the following material: "From the Federal and private revenue fund, Montana Arts Council Account 2,858 3,114", and

Be further amended in Section 12, page 13, line 17, of the introduced bill, by striking the figures "[6,717,000]" and "[7,516,000]" and inserting in lieu thereof the figures "7,619,242" and "8,575,084", and

Be further amended in Section 12, page 13, line 26 of the introduced bill, by striking the figures "[260,000]" and "[281,000]" and inserting in lieu thereof the figures "295,021" and "319,279", and

Be further amended in Section 12, page 16, line 10 of the introduced bill, by striking the figures "[124,750]" and "[130,304]" and inserting in lieu thereof the figures "172,767" and "182,686", and

Be further amended in Section 12, page 16, line 16 of the introduced bill, by striking the figures "[353,515]" and "[344,434]" and inserting in lieu thereof the figures "375,000" and "375,000", and

Be further amended in Section 12, page 16, line 21 of the introduced bill, by striking the figures "[208,188]" and "[222,070]" and inserting in lieu thereof the figures "250,000" and "275,000", and

Be further amended in Section 12, page 16, line 23 of the introduced bill, by striking the figures "[75,014]" and "[75,472]" and inserting in lieu thereof the figures "100,000" and "100,000", and

Be further amended in Section 12, page 18, line 12 of the introduced bill, by striking the figures "[76,687]" and "[80,222]" and inserting in lieu thereof the figures "86,340" and "93,900", and

Be further amended in Section 12, page 18, line 21 of the introduced bill, by striking the figures "[201,699]" and "[211,783]" and inserting in lieu thereof the figures "232,600" and "251,895", and

Be further amended in Section 12, page 19, line 7 of the introduced bill, by striking the figures "[1,201,652]" and "[1,261,735]" and inserting in lieu thereof the figures "1,395,200" and "1,515,300", and

Be further amended in Section 12, page 19, line 15 of the introduced bill, by striking the figures "[194,400]" and "[198,942]" and inserting in lieu thereof the figures "215,150" and "225,540", and

Be further amended in Section 12, page 21, line 5 of the introduced bill, by striking the figures "[654,264]" and "[626,367]" and inserting in lieu thereof the figures "769,722" and "736,902", and

Be further amended in Section 12, line 26, page 21 of the introduced bill, by striking the figures "[3,064,100]" and "[3,276,208]" and inserting in lieu thereof the figures "3,604,100" and "3,854,362", and

Be further amended in Section 12, page 22, line 5 of the introduced bill, by striking the figures "[56,137]" and "[58,510]" and inserting in lieu thereof the figures "66,043" and "68,835", and

Be further amended in Section 12, line 12, page 22 of the introduced bill, by striking the figures "[184,240]" and "[191,981]" and inserting in lieu thereof the figures "216,753" and "225,860", and

Be further amended in Section 12, page 22, line 20 of the introduced bill, by striking the figures "[732,006]" and "[748,185]" and inserting in lieu thereof the figures "861,183" and "880,218", and

Be further amended in Section 12, page 22, line 23 of the introduced bill, by striking the figures "[331,500]" and "[335,750]" and inserting in lieu thereof the figures "390,000" and "395,000", and

Be further amended in Section 12, page 22, line 29 of the introduced bill, by striking the figures "[773,877]" and "[779,034]" and inserting in lieu thereof the figures "910,443" and "916,511", and

Be further amended in Section 12, page 23, line 5 of the introduced bill, by striking the figures "[637,500]" and "[671,500]" and inserting in lieu thereof the figures "750,000" and "790,000", and

Be further amended in Section 12, page 23, line 11 of the introduced bill, by striking the figures "[67,355]" and "[70,091]" and inserting in lieu thereof the figures "79,241" and "82,460", and

And as amended, do pass.

(Material in brackets denotes canceled type.)

Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session II House Bill No. 42, introduced by Dye, Glennen, Kosena: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations." Referred to Committee on Appropriations.

MOTIONS AND RESOLUTIONS

Dye moved that the House suspend the Rules to allow Extraordinary Session II House Bills Nos. 3, 6, 23, 41 to be considered on Second Reading this day. Motion carried.

Hall moved that the House suspend the Rules and consider that the bills had been on the members' desks the necessary time. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Forester in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Bill No. 41 be amended

Amended in Section 8, page 8, line 5 of the approved bill, by striking the figures "[1,175,000]" and "[1,215,000]" and inserting in lieu thereof the figures "1,200,000" and "1,240,000", and

Be further amended in Section 8, page 8, line 13 of the approved bill, by striking the figures "[2,310,000]" and "[2,210,000]" and inserting in lieu thereof the figures "2,185,000" and "2,185,000", and

Be further amended in Section 8, page 12, line 23 of the approved bill, by striking the figures "[24,000]" and "[24,000]" and inserting in lieu thereof the figures "12,000" and "12,000", and

And as amended, do pass.

That Extraordinary Session II House Bill No. 23 be amended

Be amended on page 7, following line 26, by inserting the following material:

"From the earmarked revenue fund, teachers' retirement account	\$ 6,000	\$ 7,000
From the earmarked revenue fund, PERS account	\$11,000	\$12,000
From the earmarked revenue fund, social security account	\$ 8,000	\$ 9,000
From the earmarked revenue fund, industrial accident administrative acct.	\$ 2,000	\$ 2,000"

Further amend by striking all of the material on page 7, lines 29 and 30, and lines 1 through 14 on page 8.

Further amend on page 7, following line 28, by inserting the following new paragraph:

"From the earmarked revenue fund, reclamation account, all funds in the account are hereby appropriated."

That Extraordinary Session II House Bill No. 23 be amended

Amend Section 12, following page 20, by adding the following new page 21:

	"For the Fiscal Year Ending June 30, 1972	For the Fiscal Year Ending June 30, 1973
fund, liquor control board account	\$ 218,174	\$ 233,844
Merchandising—State Liquor Stores Program		
From the earmarked revenue fund, liquor control board account	\$2,453,387	\$2,575,345
Regulating Program		
From the earmarked revenue fund, liquor control board account	\$ 165,467	\$ 168,504
General Administration Program		
From the earmarked revenue fund, liquor control board account	\$ 382,737	\$ 385,167
From the revolving fund, liquor control board account	\$1,119,349	\$1,190,082

The head of this agency shall not receive a salary in excess of \$12,500 for the fiscal year ending June 30, 1972; and \$12,500 for the fiscal year ending June, 1973.

LIVESTOCK COMMISSION

Livestock Inspection and
Control Program
From the earmarked"

And further amend by renumbering subsequent pages to conform numerically.

And as amended, do pass.

That Extraordinary Session II House Bill No. 6 be amended.

Amend Section 13, page 17, following line 10, by adding the following new material:

"PASSENGER TRAMWAY SAFETY BOARD

From the earmarked revenue fund	1,500	1,500"
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And as amended, do pass.

That Extraordinary Session II House Bill No. 3 be amended

Amend page 5, following line 23, by inserting the following new subsection (c):

"(c) Youth Guidance Homes	\$36,142	\$36,142
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(Material in brackets denotes canceled type.)

And as amended, do pass.

That the Committee rise and report and beg leave to sit again.

FORESTER, Chairman

Forester moved for adoption of the Committee of the Whole report.

As a substitute motion, Keller moved that Extraordinary Session II House Bill No. 6 be segregated from the Committee of the Whole report. A roll call vote was requested. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aber, Asbjornson, Brown, Burnett, Cox, Darrow, Fagg, Falkenstern, Forester, Hemstad, Himsl, Keller, Kolstad, Lockrem, Lund, Lundgren, McNamer, Olson. Kropp, Nelstead, Schoonover, Scott, Selstad, C. Smith, Snortland, Spilde, Swan, Ulmer, Warfield, Whitney, Wolf. Total 31.

Noes: Anderson, Aspevig, Baeth, Bardanouve, Bradley, Brand, Campbell, Christiansen, Clemow, Devine, Dye, Edland, Eggebrecht, Fasbender, Thomas, Fleming, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hodges, Jackson, Johnston, Kendall, Knudsen, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lynch, McGrath, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Parrish, Patrick, Quilici, Robbins, Staigmiller, Swanberg, Towe, Watt, Weeding, Worden, Yardley, Zimmer, Zody. Total 60.

Absent or not voting: Ainsworth, Bennett, Ellerd, Kvaalen, Mather, Prevost, Sverdsten, Mr. Speaker. Total 8.

Excused: East, Giesick, Haines, Shelden, E. Smith. Total 5.

Thereupon, the Committee of the Whole report was adopted.

MOTIONS AND RESOLUTIONS

Hall moved that Extraordinary Session II House Bill No. 41 be taken from Engrossing and be returned to Second Reading. Motion failed.

REPORTS OF STANDING COMMITTEES

June 22, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session II House Bill No. 12.

MARKS, Chairman

I have examined Extraordinary Session II House Bill No. 12, introduced by me, and find the same to be correct.

BENNETT
MATHER

The Speaker signed in open session Extraordinary Session II House Bill No. 12.

Harrison moved that the House recess for five minutes. Motion carried.
House recessed.

House resumed. Mr. Speaker in the Chair.

June 22, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 42, respectfully report as follows: That Extraordinary Session II House Bill No. 42 do pass.

NICHOLS, Chairman

Report adopted.

MESSAGES FROM THE SENATE

June 22, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times, and concurred in, as amended, Extraordinary Session II House Bill No. 28, introduced by Fasbender, et al, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules to allow Extraordinary Session II House Bill No. 42 to be considered on Second Reading this day. Motion carried.

Harrison moved that the House suspend the Rules to allow Extraordinary Session II House Bill No. 38 to be considered on Second Reading this day. Motion carried.

Hall, having voted on the prevailing side, moved that the House reconsider its action and return Extraordinary Session II House Bill No. 41 to Second Reading. Motion carried.

Hall moved that Extraordinary Session II House Bill No. 41, as amended, be taken from Engrossing and returned to Second Reading. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Forester in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Bill No. 42 do pass.

That Extraordinary Session II House Bill No. 38 be amended

Amended in Section 2 on line 16, page 4 after the period by adding a new sentence: "In the event the electors of the State of Montana vote by referendum for the reduction of the forty percent (40%) income tax surtax to ten percent (10%) at the November 1971 election, the rate for corporate license tax for taxable years ending on or after February 28, 1972, shall be six and one-quarter percent (6¼%) of all net income for the taxable period."

And as amended, do pass.

That Extraordinary Session II House Bill No. 41 be amended

Amend Section 1, subsection (10) of the printed bill as approved by the House Appropriations Committee, Extraordinary Session II House Bill No. 41, page 3, lines 13 to 17 inclusive, by deleting the subsection in its entirety, and inserting in lieu thereof the following:

"(10) When a budget amendment is requested by a Unit of the Montana University System, prior approval by the State Board of Regents shall be received before submission to the Governor through the Budget Division."

And be further amended

Amend Section 8, page 10, line 5, by deleting the figures \$200,000 and \$200,000 and inserting in lieu thereof the figures \$100,000 and \$100,000, and

And further amend Section 8, page 15, line 14, by deleting the figures 1,625,000 and 1,725,000, and inserting in lieu thereof the figures 1,725,000 and 1,825,000."

And as amended, do pass.

That the Committee rise and report.

FORESTER, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the Rules and consider Extraordinary Session II House Bills Nos. 41, 23, 6, 3, 42, 38 correctly engrossed and place them on Third Reading this day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Extraordinary Session II House Bill No. 41 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Brand, Campbell, Christiansen, Clemow, Cox, Darrow Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Thomas, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, McGrath, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Parrish, Patrick, Nelstead, Prevost, Robbins, Schoonover, Scott, C. Smith, Snortland, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Zimmer, Zody, Mr. Speaker. Total 82.

Noes: Bradley, Brown, Burnett, Ellerd, Healy, Keller, Laas, Lockrem, Lynch, Marbut, Kropp, Quilici, Selstad, Wolf, Yardley. Total 15.

Absent or not voting: Fasbender, Norman. Total 2.

Excused: East, Giesick, Haines, Shelden, E. Smith. Total 5.

Extraordinary Session II House Bill No. 23 was passed by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Thomas, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Parrish, Patrick, Kropp, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, C. Smith, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Anderson, Burnett, Ellerd, Jackson, Keller, Lockrem, Lundgren, McNamer, Selstad, Snortland, Wolf. Total 11.

Absent or not voting: Fasbender, Norman. Total 2.

Excused: East, Giesick, Haines, Shelden, E. Smith. Total 5.

Extraordinary Session II House Bill No. 6 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Campbell, Christianson, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Thomas, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Olson, Parrish, Patrick, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, C. Smith, Spilde, Staigmiller, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 88.

Noes: Burnett, Ellerd, Keller, Lockrem, Lundgren, McNamer, Kropp, Selstad, Snortland, Wolf. Total 10.

Absent or not voting: Norman, Total 1.

Excused: East, Giesick, Haines, Shelden, E. Smith. Total 5.

Extraordinary Session II House Bill No. 3 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Thomas, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Patrick, Kropp, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, C. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Wolf, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 97.

Noes: Ellerd, Lockrem. Total 2.

Absent or not voting: None.

Excused: East, Giesick, Haines, Shelden, E. Smith. Total 5.

Extraordinary Session II House Bill No. 42 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Falkenstern, Fاسبender, Thomas, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockwood, Lund, McGrath, McKittrick, Marbut, Marks, Mather, J. Murphy, Nichols, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, C. Smith, Snortland, Spilde, Staigmillar, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 77.

Noes: Brand, Burnett, Ellerd, Harper, Hemstad, Keller, Lanthorn, Lee, Lockrem, Lombardi, Lundgren, Lynch, McNamer, Mehrens, Menahan, T. Murphy, Norman, Kropp, Prevost, Selstad, Swan, Wolf. Total 22.

Absent or not voting: None.

Excused: East, Giesick, Haines, Shelden, E. Smith. Total 5.

Extraordinary Session II House Bill No. 38 was passed by the following vote:

Ayes: Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Devine, Dye, Edland, Eggebrecht, Falkenstern, Fاسبender, Fleming, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, J. Murphy, T. Murphy, Nichols, Norman, Olson, Parrish, Prevost, Quilici, Robbins, Schoonover, Shelden, Staigmillar, Sverdsten, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 72.

Noes: Aber, Ainsworth, Asbjornson, Burnett, Campbell, Cox, Darrow, Ellerd, Fagg, Thomas, Hemstad, Jackson, Keller, Kvaalen, Lockrem, McGrath, McNamer, Mather, Patrick, Kropp, Nelstead, Scott, Selstad, C. Smith, E. Smith, Snortland, Spilde, Swan, Wolf. Total 29.

Absent or not voting: None.

Excused: East, Giesick, Haines. Total 3.

Paired: Shelden, yes; E. Smith, no.

MESSAGES FROM THE SENATE

June 22, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three times and passed Extraordinary Session II Senate Bill No. 3, introduced by McKeon, Dzivi, Sheehy, and Turnage, and the bill is herewith transmitted to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary Session II House Bill No. 43, introduced by Ulmer: A bill for an act entitled: "An act to amend Sections 40 and 44 of Extraordinary Session II House Bill No. 12, relating to the effective date of the income tax surtax; and providing an effective date." Referred to Committee on Ways and Means.

Extraordinary Session II Senate Bill No. 3, introduced by McKeon, Dzivi, Sheehy, Turnage: A bill for an act entitled: "An act to fix salaries for the district court judges; amending Section 93-303, R.C.M., 1947." Referred to Committee on State Administration.

Harrison moved that the House adjourn until 10:00 a.m., June 23, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

SEVENTEENTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 23, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Fleming, Giesick, Haines, Lundgren, Shelden, Smith, E., Wolf, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Sixteenth Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

REPORTS OF STANDING COMMITTEES

June 23, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 15, respectfully report as follows: That Extraordinary Session II House Bill No. 15 do not pass.

NICHOLS, Chairman

Report adopted.

June 22, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 11, respectfully report as follows: That Extraordinary Session II House Bill No. 11 be amended on page 1, section 1, line 30 of the introduced bill, by striking the figures "1,719,000" and inserting in lieu thereof the figures "1,719,050", and as so amended, do pass.

NICHOLS, Chairman

Report adopted.

June 23, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 17, respectfully report as follows: That Extraordinary Session II House Bill No. 17 do not pass.

NICHOLS, Chairman

Report adopted.

June 23, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 34, respectfully report as follows: That Extraordinary Session II House Bill No. 34 be amended on page 1, line 5 of the title of the introduced bill, after the figures "\$150,000)" by adding the following material: "From the long-range building program fund", and

be further amended on page 1, line 13 of the introduced bill, in section 1, by striking the word "general" and inserting in lieu thereof the words "long-range building program", and as so amended, do pass.

NICHOLS, Chairman

Report adopted.

June 23, 1971

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Extraordinary Session II House Bill No. 37, respectfully report as follows: That Extraordinary Session II House Bill No. 37 be amended on page 1, line 5, in the title of the introduced bill, by striking the following material "Eight thousand dollars (\$8,000)" and inserting in lieu thereof the following material: "Twelve thousand dollars (\$12,000)", and

be further amended on page 1, section 1, line 14 of the introduced bill, after the word "of" by striking the following material: "eight thousand dollars (\$8,000)", and inserting in lieu thereof the following material: "twelve thousand dollars (\$12,000)", and

be further amended on page 1, following line 18 of the introduced bill, by

adding a new section to read as follows: "Section 2. Any and all federal and private revenue that is available is hereby appropriated." and as so amended, do pass.

NICHOLS, Chairman

Report adopted.

June 22, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary Session II House Bill No. 35, respectfully report as follows: That Extraordinary Session II House Bill No. 35, be amended in Section 3 of the original and reproduced bill, page 1, lines 24 and 25 following the word "of" by deleting the following words and figures "fifty cents (50¢)" and inserting in lieu thereof the following words and figures "twenty-five cents (25¢), and further amend in Section 6, page 3, beginning on line 9 through 11 by deleting the material in its entirety, and

be placed on second reading without recommendation.

ULMER, Chairman

Report adopted.

June 22, 1971

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Extraordinary Session II House Bill No. 43, respectfully report as follows: That Extraordinary Session II House Bill No. 43 be amended in Section 2 of the original and reproduced bill, page 1, line 26 following the figure and punctuation "1," by deleting the figures "1973" and inserting in lieu thereof the following figures "1972", and as amended, do pass.

ULMER, Chairman

Report adopted.

MESSAGES FROM SENATE

June 22, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read third time and concurred in, as amended, Extraordinary Session II, House Bill No. 40, introduced by Fagg, et al, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

REPORTS OF STANDING COMMITTEES

June 23, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Extraordinary Session II House Bill Nos. 3, 6, 41, 38, 42.

MARKS, Chairman

June 23, 1971

Mr. Speaker: We, your Majority on State Administration, having had under consideration Extraordinary Session II Senate Bill No. 3, respectfully report as follows: That Extraordinary Session II Senate Bill No. 3

be amended in Section 1, page 1, line 15 following “(\$20,500)” by inserting the following new material “beginning July 1, 1971”, and as so amended, be not concurred in.

SWAN
BURNETT
EAST
C. SMITH
THOMAS
ULMER
JACKSON
STAIGMILLER

Swan moved for adoption of the majority committee report.

June 23, 1971

Mr. Speaker: We, your Minority Committee on State Administration, having had under consideration Extraordinary Session II Senate Bill No. 3, respectfully report as follows: That Extraordinary Session II Senate Bill No. 3 be amended on page 1, section 1, following the “(\$20,500)” by inserting the following new material:

“, beginning July 1, 1971”, and

As so amended, be concurred in.

MARBUT
BARDANOUE
BRAND
DEVINE
GREELY
TOWE

As a substitute motion, Brand moved for adoption of the minority committee report.

Dye moved the previous question. Motion carried.

Mather requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion carried by the following vote:

Ayes: Anderson, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Clemow, Cox, Darrow, Devine, Dye, Eggebrecht, Fasbender, Gerke, Glennen, Greely, Hall, Harper, Harrison, Healy, Himsl, Johnston, Keller, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Menahan, Murphy, J., Parrish, Nelstead, Quilici, Schoonover, Scott, Swanberg, Towe, Warfield, Weeding, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 55.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Burnett, Campbell, Christiansen, East, Ellerd, Fagg, Falkenstern, Thomas, Forester, Gunder-son, Hemstad, Hodges, Jackson, Knudsen, Kvaalen, Lombardi, Lund, McNamer, Marks, Murphy, T., Nichols, Norman, Olson, Patrick, Kropp, Prevost, Robbins, Selstad, Smith, C., Smith, E. Snortland, Spilde, Staigmiller, Sverdsten, Swan, Ulmer, Watt, Whitney. Total 42.

Absent or not voting: Edland. Total 1.

Excused: Fleming, Giesick, Haines, Lundgren, Shelden, Wolf. Total 6.

Paired: Worden, yes; Staigmiller, no; Murphy, J., yes; Knudsen, no; Harrison, yes; Smith, E., no.

June 23, 1971

Mr. Speaker We, your Committee on Bills, beg leave to report the following bill correctly engrossed: Extraordinary Session II House Bill No. 23.

MARKS, Chairman

MESSAGES FROM THE SENATE

June 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in, as amended, Extraordinary Session II House Bill No. 3, and the bill is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House suspend the rules to allow Extraordinary Session II House Bill Nos. 11, 34, 35, 37, 43 and Extraordinary Session II Senate Bill No. 3 to be considered on Second Reading this day. Motion carried.

Harper moved that Extraordinary Session II House Bill No. 20 be taken from the Committee on Appropriations and be placed on Second Reading. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The motion failed to pass by the following vote

Ayes: Bardanouve, Bradley, Brand, Brown, Christiansen, Eggebrecht, Fasbender, Gunderson, Hall, Harper, Healy, Lanthorn, Lee, Lein, Lockrem, Lombardi, Lynch, McGrath, McKittrick, Marbut, Menahan, Quilici, Robbins, Schoonover, Swanberg, Towe, Watt, Yardley, Zimmer. Total 29.

Noes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Burnett, Campbell, Clemow, Darrow, Devine, Dye, East, Ellerd, Fagg, Falkenstern, Thomas, Gerke, Glennen, Greely, Harrison, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Kolstad, Laas, Lockwood, Lund, McNamer, Marks, Mather, Murphy, T., Nichols, Norman, Olson, Parrish, Patrick, Kropp, Nelstead, Selstad, Smith, C., Snortland, Spilde, Sverdsten, Swan, Ulmer, Warfield, Weeding, Whitney, Zody, Mr. Speaker. Total 56.

Absent or not voting: Cox, Edland, Forester, Knudsen, Kosena, Kvaalen, Mehrens, Prevost, Scott, Staigmiller, Worden. Total 11.

Excused: Fleming, Giesick, Haines, Lundgren, Murphy, J., Shelden, Smith, E., Wolf. Total 8.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Extraordinary Session II House Bill No. 44, introduced by Watt: A bill for an Act entitled: "An act requiring that election precincts do not cross school district lines; requiring that the yearly school census be expanded in specified years; and amending Sections 23-3101 and 75-5936, R.C.M. 1947." Referred to Committee on Reapportionment.

Extraordinary Session II House Bill No. 45, introduced by Towe, Norman, Christiansen, Bardanouve, Marbut, Harper, Fasbender, McKittrick: A bill for an Act Entitled: "The Montana Tax Reform Act of 1971; providing for the imposition of a Montana income tax which is equal to a percentage of the federal income tax payable on Montana taxable income; requiring corporations to pay a business and occupation license tax measured by gross receipts; repealing Sections 84-4901, 84-4902, 84-4903, 84-4905, 84-4906, 84-4907, 84-4908, 84-4909, 84-4910, 84-4912, 84-4914, 84-4915, 84-4917, 84-733, R.C.M. 1947; amending Sections 84-1901, 84-4903.1 84-4924, 84-4939 and 84-4905, R.C.M. 1947; and providing an effective date." Referred to Committee on Ways and Means.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Swanberg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II Senate Bill No. 4 be concurred in.

That Senate Amendments to Extraordinary Session II House Bill No. 28 be concurred in.

That Senate Amendments to Extraordinary Session II House Bill No. 40 be not concurred in.

That Extraordinary Session II House Bill No. 11 be amended in Section 1, subsection (1), page 1, lines 21-24 by striking all the figures and inserting in lieu thereof the following new figures: line 21—198,964; line 22—364,371; line 23—201,388; line 24—764,723.

And further amend subsection (2), page 1, lines 26-30 by striking all the figures and inserting in lieu thereof the following new figures: line 26—227,339; line 27—450,526; line 28—224,842; line 29—902,707; line 30—1,667,430.

And as amended, do pass.

That the Committee rise and report and beg leave to sit again.

SWANBERG, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Senate Amendments to Extraordinary Session II House Bill No. 40. Motion carried.

The Speaker appointed Fagg, Campbell, Zody.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading. Motion carried.

Swanberg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Bill No. 34 do pass.

That Extraordinary Session II House Bill No. 37 do pass.

That Extraordinary Session II House Bill No. 43 be passed for the day.

That Extraordinary Session II House Bill No. 35 do not pass.

That Senate Amendments to Extraordinary Session II House Bill No. 3 be concurred in.

That Extraordinary Session II Senate Bill No. 3 be concurred in.

That the Committee rise and report.

SWANBERG, Chairman

Swanberg moved for adoption of the committee report.

As a substitute motion, Schoonover moved that Extraordinary Session II House Bill No. 35 be segregated from the committee report and that the report be adopted as amended. He requested a roll call vote, with the Ayes and Nays spread on the Journal. Sufficient seconds arose.

The substitute motion failed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bradley, Brand, Brown, Christiansen, Devine, Fagg, Fasbender, Gerke, Greely, Gunderson, Hall, Harper, Healy, Himsl, Hodges, Kendall, Knudsen, Kosena, Lee, Lombardi, Lund, McKittrick, Marbut, Mehrens, Menahan, Murphy, T., Norman, Parrish, Robbins, Schoonover, Swanberg, Ulmer, Watt, Yardley, Zimmer, Zody. Total 39.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Bennett, Burnett, Campbell, Clemow, Cox, Darrow, East, Ellerd, Falkenstern, Thomas, Glennen, Harrison, Hemstad, Jackson, Johnston, Keller, Kvaalen, Laas, Lanthorn, Lien, Lockrem, Lockwood, McGrath, McNamer, Marks, Mather, Nichols, Olson, Patrick, Kropp, Nelstead, Prevost, Quilici, Scott, Selstad, Smith, C., Snortland, Spilde, Swan, Towe, Warfield, Whitney, Mr. Speaker. Total 47.

Absent or not voting: Dye, Edland, Eggebrecht, Forester, Kolstad, Lynch, Staigmillar, Sverdsten, Weeding, Worden. Total 10.

Excused: Fleming, Giesick, Haines, Lundgren, Murphy, J., Shelden, Smith, E., Wolf. Total 8.

Thereupon, the committee report was adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that Extraordinary Session II House Bill No. 12 be taken from Enrolling and be returned to Third Reading. Motion carried.

Harrison moved that the House suspend the rules to consider the following bills correctly engrossed and be placed on Third Reading this day: Extraordinary Session II Senate Bill No. 4, Senate Amendments to Extraordinary Session II House Bill No. 28, Extraordinary Session II House Bill Nos. 11, 34, 37, Extraordinary Session II Senate Bill No. 3, Senate Amendments to Extraordinary Session II House Bill No. 3.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Extraordinary Session II House Bill No. 11 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brand, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern Fasbender, Thomas, Gerke, Glennen, Harrison, Healy, Himsl, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Mather, Mehrens, Murphy, T., Nichols, Norman, Olson, Parrish, Kropp, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Smith, C., Snortland, Spilde, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Murphy, J. Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 75.

Noes: Aber, Anderson, Bardanouve, Burnett, Ellerd, Greely, Gunderson, Hall, Harper, Hemstad, Hodges, Keller, Lockrem, Marbut, Marks, Menahan, Patrick, Selstad. Total 18.

Absent or not voting: Forester, Staigmiller, Sverdsten, Worden. Total 4.

Excused: Fleming, Giesick, Haines, Lundgren, Shelden, Smith, E., Wolf, Total 7.

Paired: Murphy, J., yes; Keller, no; Lynch, yes; Hall, no.

Extraordinary Session II House Bill No. 34 was passed by the following vote

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Burnett, Campbell, Christiansen, Clemow, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Thomas, Gerke, Glennen, Greely, Gunderson, Hall, Harrison, Hemstad, Himsl, Hodges, Jackson, Kendall, Knudsen, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lund, McKittrick, McNamer, Marbut, Marks, Mehrens, Menahan, Murphy, T., Norman, Olson, Parrish, Patrick, Kropp, Nelstead, Prevost, Robbins, Schoonover, Scott, Snortland, Spilde, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 71.

Noes: Brand, Cox, Ellerd, Harper, Healy Johnston, Keller, Kolstad, Lee, Lockrem, Lombardi, McGrath, Mather, Nichols, Quilici, Selstad, Smith, C., Weeding, Whitney, Zody. Total 20.

Absent or not voting: Forester, Lynch, Staigmiller, Sverdsten, Worden. Total 5.

Excused: Fleming, Giesick, Haines, Lundgren, Murphy, J., Shelden, Smith, E., Wolf. Total 8.

Extraordinary Session II House Bill No. 37 was passed by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Edland, Eggebrecht, Fagg, Thomas, Gerke, Glennen, Greely, Hall, Harrison Healy, Hemstad, Himsl, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens Menahan, Nichols, Norman, Olson, Parrish, Patrick, Kropp, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Smith, C., Snortland, Selstad, Spilde, Swan Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney Yardley, Zimmer, Zody, Mr. Speaker. Total 83.

Noes: Ellerd, Falkenstern, Gunderson, Harper, Hodges, Lockrem, Murphy, T. Total 7.

Absent or not voting: East, Fasbender, Forester, Staigmiller, Sverdsten, Worden. Total 6.

Excused: Fleming, Giesick, Haines, Lundgren, Murphy, J., Shelden, Smith, E., Wolf. Total 8.

Paired: Lynch, yes; Ellerd, no.

Ulmer moved to amend Section 40 of Extraordinary Session House Bill 12, page 38, line 6 following the word "years" by deleting the following material "ending in 1971 and 1972," and inserting in lieu thereof the following material "beginning on and after December 31, 1970 but before January 1, 1973," and

further amend in Section 44, page 40, line 7 following the word "years" by deleting the following material "ending in 1971," and inserting in lieu thereof the following material "beginning on and after December 31, 1970 but before January 1, 1972,"

The motion carried by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Thomas, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Hemstad, Himsl, Hodges, Jackson, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lien, Lockwood, Lund, McGrath, McKittrick, McNamer, Marks, Murphy, T., Nichols, Norman, Olson, Parrish, Kropp, Nelstead, Prevost, Robbins, Schoonover, Snortland, Spilde, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 71.

Noes: Bardanouve, Brand, Burnett, Ellerd, Healy, Johnston, Keller, Lee, Lockrem, Lombardi, Marbut, Mather, Mehrens, Menahan, Quilici, Scott, Selstad, Smith, C., Swan. Total 19.

Absent or not voting: Forester, Lynch, Patrick, Staigmiller, Sverdsten, Worden. Total 6.

Excused: Fleming, Giesick, Haines, Lundgren, Murphy, J., Shelden, Smith, E., Wolf. Total 8.

Extraordinary Session II House Bill 12 was passed by the following vote:

Ayes: Aber, Anderson, Asbjornson, Aspevig, Baeth, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Falkenstern, Fasbender, Thomas, Glennen, Greely, Gunderson, Harper, Hemstad, Himsl, Hodges, Jackson, Kendall, Kosena, Laas, Lanthorn, Lien, Lockwood, Lund, Marks, Murphy, T., Nichols, Norman, Olson, Parrish, Prevost, Robbins, Schoonover, Spilde, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody. Total 57.

Noes: Ainsworth, Bardanouve, Brand, Burnett, Ellerd, Fagg, Gerke, Hall, Harrison, Healy, Johnston, Keller, Knudsen, Kolstad, Kvaalen, Lee, Lockrem, Lombardi, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Menahan, Patrick, Kropp, Nelstead, Quilici, Scott, Selstad, Smith, C., Snortland, Swan, Mr. Speaker. Total 35.

Absent or not voting: Forester, Lynch, Staigmiller, Sverdsten. Total 4.

Excused: Fleming, Giesick, Haines, Lundgren, Murphy, J., Shelden, Smith, E., Wolf. Total 8.

Paired: Bardanouve, no; Worden, yes.

THIRD READING OF SENATE BILLS

The following bills having been read three several times, were disposed of in the following manner:

Senate Amendments to Extraordinary Session II House Bill No. 3 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Fasbender, Thomas, Gerke, Glennen, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, Murphy, T., Nichols, Norman, Olson, Patrick, Kropp, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Smith, E., Snortland, Spilde, Swan, Swanberg, Ulmer, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 86.

Noes: Ellerd, Greely, Lockrem, Parrish, Towe. Total 5.

Absent or not voting: Forester, Lynch, Staigmiller, Sverdsten, Worden. Total 5.

Excused: Fleming, Giesick, Haines, Lundgren, Murphy, J., Shelden, Smith, E., Wolf. Total 8.

Extraordinary Session II Senate Bill No. 3 was concurred in by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Clemow, Cox, Darrow, Devine, Dye, Eggebrecht, Fasbender, Gerke, Glennen, Greely, Hall, Harper, Harrison, Healy, Himsl, Johnston, Keller, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lund, Lynch, McGrath, McKittrick, Mather, Mehrens, Menahan, Murphy, J., Parrish, Nelstead, Quilici, Robbins, Schoonover, Scott, Swanberg, Towe, Warfield, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 53.

Noes: Aber, Ainsworth, Asbjornson, Aspevig, Burnett, Campbell, Christiansen, East, Edland, Ellerd, Fagg, Falkenstern, Thomas, Gunderson, Hemstad, Hodges, Jackson, Kendall, Knudsen, Kvaalen, Lien, Lombardi, McNamer, Marbut, Marks, Murphy, T., Nichols, Norman, Olson, Patrick, Kropp, Prevost, Selstad, Smith, C., Smith, E., Snortland, Spilde, Swan, Ulmer, Watt, Weeding, Whitney. Total 42.

Absent or not voting: Forester, Staigmiller, Sverdsten. Total 3.

Excused: Fleming, Giesick, Haines, Lundgren, Shelden, Wolf. Total 6.

Paired: Lynch, yes; Christiansen, no; Smith, E., no; Warfield, yes; Murphy, J., yes; Swan, no; Worden, yes; Ellerd, no.

Extraordinary Session II Senate Bill No. 4 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Fagg, Falkenstern, Fasbender, Thomas, Gerke, Glennen, Greely, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Marks, Mather, Mehrens, Menahan, Murphy, T., Nichols, Norman, Olson, Parrish, Kropp, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Spilde, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 84.

Noes: Ellerd, Gunderson, Lockrem, Patrick, Selstad, Smith, C., Swan, Ulmer. Total 8.

Absent or not voting: Edland, Forester, Staigmillier, Sverdsten, Worden. Total 5.

Excused: Fleming, Giesick, Haines, Lundgren, Murphy J., Smith, E., Wolf. Total 7.

Paired: Shelden, yes; Lockrem, no; Lynch, yes; Gunderson, no.

Senate Amendments to Extraordinary Session II House Bill No. 28 were concurred in by the following vote:

Ayes: Aber, Ainsworth, Anderson, Asbjornson, Aspevig, Baeth, Bardanoue, Bennett, Bradley, Brand, Brown, Burnett, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Eggebrecht, Fagg, Falkenstern, Fasbender, Thomas, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockwood, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marbut, Mehrens, Menahan, Murphy, T., Nichols, Norman, Olson, Parrish, Patrick, Kropp, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Spilde, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Yardley, Zimmer, Zody, Mr. Speaker. Total 81.

Noes: Ellerd, Hemstad, Lockrem, Marks, Mather, Selstad, Smith, C., Snortland, Swan, Ulmer. Total 10.

Absent or not voting: Edland, Forester, Staigmillier, Sverdsten, Worden. Total 5.

Excused: Fleming, Giesick, Haines, Lundgren, Murphy, J., Shelden, Smith, E., Wolf. Total 8.

Paired: Lynch, yes. Swan, no.

MESSAGES FROM THE SENATE

June 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President was authorized to appoint a Conference Committee to confer with a like committee from the House on Senate Amendments to Extraordinary Session II House Bill 40.

The President appointed the following:

Senator Lynch—Chairman
 Senator Dzivi
 Senator Mathers

Respectfully,

WALTER H. MARSHALL
 Secretary of the Senate

Harrison moved that the House adjourn until 9:30 a.m., June 24, 1971. Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

EIGHTEENTH EXTRAORDINARY SESSION II LEGISLATIVE DAY

House of Representatives
Helena, Montana
June 24, 1971

House convened, pursuant to adjournment, at 9:30 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Anderson, Fleming, Giesick, Gunderson, Haines, Keller, T. Murphy, Norman, C. Smith, E. Smith, Staigmillier, Sverdsten, Wolf, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Seventeenth Extraordinary Session II Legislative Day and find the same correct.

HARRISON, Chairman
CHRISTIANSSEN

REPORTS OF STANDING COMMITTEES

June 23, 1971

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Extraordinary Session II Senate Bill No. 2, respectfully report as follows: That Extraordinary Session II Senate Bill No. 2 be placed on Second Reading without recommendation.

KELLER, Chairman

Report adopted.

June 24, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed and engrossed: Extraordinary Session II House Bills Nos. 11, 34, 37.

MARKS, Chairman

MESSAGES FROM THE SENATE

June 23, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in, as amended, Extraordinary Session II House Bill No. 38, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Ulmer rose to a point of personal privilege in regard to a newspaper article in the morning papers which cited published remarks by the Secretary of the Senate. Ulmer termed the remarks as intemperate and untrue, and asked for censure of the employee and an apology.

Harrison moved that the House suspend the Rules and place Extraordinary Session II Senate Bill No. 2 on Second Reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II House Bill No. 43 be passed for the day.

That Extraordinary Session II Senate Bill No. 2 be concurred in.

That Senate Amendments to Extraordinary Session II House Bill No. 38 be concurred in.

That the Committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

June 24, 1971

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee having had under consideration Senate Amendments to Extraordinary Session II House Bill No. 40, respectfully report and recommend as follows:

That the House accede to the Senate Amendments to Extraordinary Session II House Bill No. 40 and recommend their adoption.

For the Senate: LYNCH
DZIVI
MATHERS

For the House: FAGG
CAMPBELL
ZODY

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Baeth, Bardanouve, Bennett, Brown, Burnett, Campbell, Christiansen, Cox, Devine, Dye, Falkenstern, Thomas, Forester, Glennen, Harrison, Hemstad, Himsl, Johnston, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockwood, Lombardi, Lund, McGrath, McNamer, Mehrens, Menahan, J. Murphy, Nichols, Olson, Kropp, Nelstead, Prevost, Quilici, Scott, Selstad, Shelden, Snortland, Swanberg, Ulmer, Weeding, Whitney, Worden, Zody, Mr. Speaker. Total 51.

Noes: Aspevig, Bradley, Brand, Clemow, East, Edland, Ellerd, Fagg, Gerke, Greely, Gunderson, Hall, Healy, Hodges, Jackson, Kendall, Knudsen, Lien, Lockrem, Lynch, McKittrick, Marbut, Marks, Mather, Parrish, Robins, Schoonover, Spilde, Swan, Towe, Warfield, Watt, Yardley, Zimmer. Total 34.

Absent or not voting: Eggebrecht, Harper, Lanthorn, Patrick. Total 4.

Excused: Anderson, Darrow, Fasbender, Fleming, Giesick, Haines, Keller, Lundgren, T. Murphy, Norman, C. Smith, E. Smith, Staigmiller, Sverdsten, Wolf. Total 15.

MOTIONS AND RESOLUTIONS

Greely moved that Extraordinary Session II House Bills Nos. 27, 32 and 39 be taken from the Committee on Reapportionment and be placed on Second Reading. Motion failed.

Harrison moved that the House suspend the Rules and place Extraordinary Session II Senate Bill No. 2 and Senate Amendments to Extraordinary Session II House Bill No. 38 on Third Reading this day. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Extraordinary Session II Senate Bill No. 2 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Devine, Dye, East, Edland, Eggebrecht, Ellerd, Falkenstern, Thomas, Forester, Gerke, Glennen, Greely, Gunderson, Harper, Harrison, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Laas, Lanthorn, Lee, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marbut, Marks, Mather, Mehrens, Menahan, J. Murphy, Parrish, Patrick, Kropp, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, Snortland, Spilde, Swan, Towe, Ulmer, Warfield, Watt, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 77.

Noes: Brand, Hall, Kvaalen, Lien, Olson, Swanberg. Total 6.

Absent or not voting: Burnett, Fagg, McNamer, Nichols, Prevost, Selstad, Weeding. Total 7.

Excused: Anderson, Darrow, Fasbender, Fleming, Giesick, Haines, Keller, T. Murphy, Norman, C. Smith, E. Smith, Staigmiller, Sverdsten, Wolf. Total 14.

Senate Amendments to Extraordinary Session II House Bill No. 38 were concurred in by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Clemow, Devine, Dye, East, Edland, Eggebrecht, Fagg, Falkenstern, Thomas, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Healy, Hemstad, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lockrem, Lockwood, Lombardi, Lund, Lundgren, Lynch, McGrath, McKittrick, Marks, Mehrens, Menahan, J. Murphy, Nichols, Parrish, Kropp, Nelstead, Prevost, Quilici, Robbins, Schoonover, Shelden, Swanberg, Towe, Warfield, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody, Mr. Speaker. Total 73.

Noes: Ainsworth, Burnett, Campbell, Cox, Ellerd, Harrison, Marbut, Mather, Olson, Patrick, Scott, Selstad, Snortland, Spilde, Swan, Ulmer. Total 16.

Absent or not voting: McNamer. Total 1.

Excused: Anderson, Darrow, Fasbender, Fleming, Giesick, Haines, Keller, T. Murphy, Norman, C. Smith, E. Smith, Staigmiller, Sverdsten, Wolf. Total 14.

Harrison moved that the House recess until 2:00 p.m., this day.

Motion Carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and passed Extraordinary Session II Senate Bill No. 5 and the bill is herewith transmitted to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in, as amended, Session II House Bill No. 34, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in, as amended, the following Extraordinary Session II House Bills and the bills are herewith returned to the House for concurrence in Senate Amendments.

Extraordinary Session II House Bill No. 41, introduced as Asbjornson, et al

Extraordinary Session II House Bill No. 11, introduced by Himsl, et al

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in, as amended, the following House Bills and the bills are herewith returned to the House for concurrence in Senate Amendments.

Extraordinary Session II House Bill No. 23, introduced by Patrick

Extraordinary Session II House Bill No. 6, introduced by Haines

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion duly carried, requests the House of Representatives to return to this body Extraordinary Session II House Bill No. 12 for the purpose of amending.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the report of the Joint Conference Committee on Senate Amendments to Extraordinary Session II House Bill No. 40.

Respectfully,

WALTER H. MARSHALL

Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that the House reconsider its action in passing an amendment to Extraordinary Session II House Bill No. 12 on last legislative day. Motion carried.

Harrison moved that the House accede to the request of the Senate for the return of Extraordinary Session II House Bill No. 12. Motion carried.

The Speaker signed the following bills in open session: Extraordinary Session II Senate Bills Nos. 3 and 4.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dye moved that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to Extraordinary Session II House Bill No. 6 be not concurred in.

That Senate Amendments to Extraordinary Session II House Bill No. 23 be not concurred in.

That Senate Amendments to Extraordinary Session II House Bill No. 41 be not concurred in.

That Senate Amendments to Extraordinary Session II House Bill No. 11 be passed for this sitting.

That the Committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the Speaker be authorized to appoint Free Conference Committees of three to confer with like committees from the Senate on Extraordinary Session II House Bills Nos. 23, 41 and 6. Motion carried.

The Speaker appointed the following Free Conference Committees:

Extraordinary Session II House Bill No. 23—Patrick, Lund, Bardanouve.

Extraordinary Session II House Bill No. 41—Asbjornson, Spilde, Aspevig

Extraordinary Session II House Bill No. 6—Nichols, Kvaalen, Prevost

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session II Senate Bill No. 5, introduced by: Turnage, Manning, Gilfeather: A bill for an act entitled: "An act to authorize the Secretary of State to determine the number of signatures needed for nominating petitions of independent candidates; and providing an effective date." Referred to Committee on Constitutional Convention.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session II House Bill No. 28.

MARKS, Chairman

I have examined Extraordinary Session II House Bill No. 28, introduced by me, and find the same to be correct.

GREELY
FASBENDER

The Speaker signed the following bill in open session: Extraordinary Session II House Bill No. 28.

Harrison moved that the House recess until 4:00 p.m., this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

June 24, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Extraordinary Session II House Bills Nos. 3 and 38.

MARKS, Chairman

June 24, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 28 do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 3:15 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

I have examined Extraordinary Session II House Bill No. 3 introduced by me and find the same to be correct.

KVAALEN

I have examined Extraordinary Session II House Bill No. 38 introduced by me and find the same to be correct.

CHRISTIANSEN

The Speaker signed in open session the following House Bills: Extraordinary Session II House Bills Nos. 3 and 38.

MESSAGES FROM THE SENATE

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day authorized the President to appoint a Free Conference Committee to confer with a like committee from the House on Senate Amendments to Extraordinary Session II House Bill No. 41.

The President appointed the following:

Senator Thiessen, Chairman
Senator Mackay
Senator Sheehy

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day authorized the President to appoint a Free Conference Committee to confer with a like committee from the House on Senate Amendments to Extraordinary Session II House Bill No. 23.

The President appointed the following:

Senator Bollinger, Chairman
Senator Deschamps
Senator Keenan

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day authorized the President to appoint a Free Conference Committee to confer with a like committee from the House on Senate Amendments to Extraordinary Session II House Bill No. 6.

The President appointed the following:

Senator McKeon, Chairman
Senator Moritz
Senator Reardon

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in, as amended, Extraordinary Session II House Bill No. 42, and the bill is herewith returned to the House for concurrence in Senate Amendments.

Sincerely,

WALTER H. MARSHALL
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

Extraordinary Session II House Bill No. 46, introduced by Kolstad: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947." Referred to Committee on Reapportionment.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to Extraordinary Session II House Bill No. 11 be concurred in.

That Senate Amendments to Extraordinary Session II House Bill No. 42 be not concurred in.

That the Committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the Speaker be authorized to appoint a Free Conference Committee of three to meet with a like committee from the Senate on Senate Amendments to Extraordinary Session II House Bill No. 42. Motion carried.

The Speaker appointed the following committee: Dye, Glennen and Kosena.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Amendments to Extraordinary Session II House Bill No. 11 were concurred in by the following vote:

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Ayes: Asbjornson, Aspevig, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, Dye, East, Fagg, Falkenstern, Gerke, Glennen, Harrison, Healy, Himsl, Hodges, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kosena, Lanthorn, Lee, Lockwood, Lombardi, Lundgren, McGrath, McKittrick, McNamer, Marks, Mather, Mehrens, Menahan, J. Murphy, Nichols, Olson, Parrish, Nelstead, Quilici, Robbins, Schoonover, Shelden, Swan, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Whitney, Worden, Zimmer, Zody, Mr. Speaker. Total 60.

Noes: Aber, Ainsworth, Brand, Burnett, Forester, Greely, Gunderson, Hall, Harper, Hemstad, Lockrem, Marbut, Kropp, Selstad, Snortland. Total 15.

Absent or not voting: Baeth, Bardanouve, Edland, Eggebrecht, Ellerd, Fasbender, Thomas, Kvaalen, Laas, Lien, Lund, Lynch, Patrick, Prevost, Scott, Spilde, Yardley. Total 17.

Excused: Anderson, Fleming, Giesick, Haines, Keller, T. Murphy, Norman, C. Smith, E. Smith, Staigmiller, Sverdsten, Wolf. Total 12.

MESSAGES FROM THE SENATE

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in, as amended, Extraordinary Session II House Bill No. 12, introduced by Bennett, et al, and the bill is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in Extraordinary Session II House Bill No. 37, introduced by Kvaalen, and the bill is herewith returned to the House.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to Extraordinary Session II House Bill No. 12 be concurred in.

That the Committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Amendments to Extraordinary Session II House Bill No. 12 were concurred in by the following vote:

Ayes: Aber, Bardanouve, Bennett, Bradley, Brown, Campbell, Christiansen, Clemow, Cox, Darrow, Devine, East, Fagg, Falkenstern, Thomas, Gunderson, Harper, Harrison, Himsl, Jackson, Johnston, Kendall, Kolstad, Laas, Lanthorn, Lockwood, Lombardi, Marks, J. Murphy, Parrish, Robbins, Shelden, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Zimmer, Zody. Total 40.

Noes: Ainsworth, Brand, Burnett, Ellerd, Forester, Hall, Healy, Hodges, Lockrem, Lynch, McGrath, McKittrick, McNamer, Marbut, Mather, Mehrens, Olson, Patrick, Kropp, Nelstead, Quilici, Selstad, Snortland, Swan, Warfield, Worden, Mr. Speaker. Total 27.

Absent or not voting: Asbjornson, Aspevig, Baeth, Dye, Edland, Eggebrecht, Fasbender, Gerke, Glennen, Greely, Hemstad, Knudsen, Kosena, Kvaalen, Lee, Lien Lund, Lundgren, Menahan, Nichols, Prevost, Schoonover, Scott, Spilde, Yardley. Total 25.

Excused: Anderson, Fleming, Giesick, Haines, Keller, T. Murphy, Norman, C. Smith, E. Smith, Staigmilller, Sverdsten, Wolf. Total 12.

Harrison moved that the House recess until 7:30 p.m., this day. Motion carried.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 3, 38, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:30 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

June 24, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session II House Bill No. 34.

MARKS, Chairman

I have examined House Bill No. 34, introduced by me, and find the same to be correct.

MARKS

The Speaker signed the following bill in open session: Extraordinary Session II House Bill No. 34.

June 24, 1971

Mr. Speaker: We, your Committee on Constitutional Convention, having had under consideration Extraordinary Session II Senate Bill No. 5,

respectfully report as follows: That Extraordinary Session II Senate Bill No. 5 be concurred in.

MURPHY, Chairman

Report adopted.

MESSAGES FROM THE SENATE

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President was authorized this day to appoint a Free Conference Committee to confer with a like committee from the House on Senate Amendments to Extraordinary Session II House Bill No. 42.

The President appointed the following:

Senator Boylan, Chairman
Senator Mathers
Senator McOmber

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that Extraordinary Session II Senate Bill No. 5 be placed on Second Reading this day. Motion carried.

Harrison moved that the House recess until 8:30 p.m., this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

June 24, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Extraordinary Session II House Bills Nos. 40, 37, 11.

MARKS, Chairman

June 24, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Extraordinary Session II House Bill No. 12.

MARKS, Chairman

I have examined Extraordinary Session II House Bill No. 12, introduced by me, and find the same to be correct.

BENNETT

I have examined Extraordinary Session II House Bill No. 37, introduced by me, and find the same to be correct.

KVAALLEN

I have examined Extraordinary Session II House Bill No. 11 introduced by me, and find the same to be correct.

HIMSL

I have examined Extraordinary Session II House Bill No. 40, introduced by me, and find the same to be correct.

FAGG

The Speaker signed the following bills in open session: Extraordinary Session II House Bills Nos. 12, 37, 11, 40.

REPORTS OF SELECT COMMITTEES

June 24, 1971

Mr. President and Speaker of the House:

We, your free joint Senate and House Conference Committee on Extraordinary Session II House Bill No. 23, beg leave to report as follows:

That we met this day and considered Senate Amendments to Extraordinary Session II House Bill No. 23 and recommend as follows:

That the Senate recede from their amendment to page 5, line 17;

That the House accept the Senate amendment to page 10, lines 23 and 26.

That the House accept the Senate amendment to page 12, line 23.

That both the House and Senate recede from amendments on page 14, line 5, and agree to strike the figures "7,619,242" and "8,575,084" and insert in lieu thereof the figures "7,204,242" and "8,160,084".

That the House accept the Senate amendments to page 14, line 7.

That the House accept the Senate amendments to page 15, line 19.

That the House accept the Senate amendments to page 16, line 9.

That the House accept the Senate amendments to page 16, line 14.

That the Senate recede from their amendments on page 16, line 21, and insert in lieu thereof the figures "197,767" and "207,686".

That the House accept the Senate amendments to page 17, line 7.

That the Senate recede from their amendments to page 17, line 30, and insert in lieu thereof the figures "73,279" and "76,145".

That the Senate recede from their amendments to page 19, line 28.

That the House accept all the remaining Senate amendments to Extraordinary Session II House Bill No. 23.

That the House and Senate further agree to amend on page 9, line 7 of the bill, by striking the figures "34,265" and "32,450" and insert in lieu thereof the figures "44,265" and "42,450", and

Further amend page 9, line 13 of the bill by striking the figures "36,850" and "39,300" and insert in lieu thereof the figures "46,850" and "49,300", and

Further amend page 9, line 22 of the bill by striking the figures "44,700" and "51,000" and inserting in lieu thereof the figures "54,700" and "61,000", and

Further amend page 9, line 24 of the bill by striking the figures "67,300" and "68,750" and inserting in lieu thereof the figures "87,300" and "88,750", and

Further amend on page 15, after line 9 of the bill, by inserting the

following new material: "It is the intent of the legislative assembly that the department of public welfare maintain a uniform level of payments throughout the biennium covered by this appropriation utilizing any additional federal funds which are made available."

And recommend that the same be adopted.

For the Senate: BOLLINGER
DESCHAMPS
KEENAN

For the House: PATRICK
LUND
BARDANOUE

The Conference Committee report was adopted by the following vote:

Ayes: Aber, Asbjornson, Aspevig, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Cox, Darrow, Dye, Edland, Falkenstern, Thomas, Gerke, Glennen, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Jackson, Johnston, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lien, Lockwood, Lund, McNamer, Mather, Menahan, J. Murphy, Nichols, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Shelden, Snortland, Spilde, Towe, Ulmer, Watt, Weeding, Worden, Zody, Mr. Speaker. Total 56.

Noes: Ainsworth, Burnett, Clemow, East, Ellerd, Forester, Hemstad, Knudsen, Kvaalen, Lombardi, Lundgren, Lynch, Kropp, Selstad, Whitney, Zimmer. Total 16.

Absent or not voting: Baeth, Campbell, Devine, Eggebrecht, Fagg, Greely, Hodges, Lockrem, McGrath, McKittrick, Marbut, Marks, Mehrens, Prevost, Scott, Swan, Swanberg, Warfield, Yardley. Total 19.

Excused: Anderson, Fleming, Giesick, Haines, Keller, T. Murphy, Norman, C. Smith, E. Smith, Staigmiller, Sverdsten, Wolf, Fasbender. Total 13.

June 24, 1971

Mr. President:

Mr. Speaker:

We, your Free Joint Conference Committee on Extraordinary Session II House Bill No. 42 beg leave to report as follows:

That the House accede to the Senate Amendments with the following exceptions, from which the Senate recedes:

Amend Section 11 (which is now Section 12) in line 7 of page 8 by striking the following figures "175,713" and "182,466" and inserting in lieu thereof the following figures: "153,645" and "158,534"

And further amend Section 11 (which is now Section 12) in line 11 of page 16 by striking the following figures "600,000" and "—0—" and inserting in lieu thereof the following figures "568,315" and "440,000".

And the House and Senate further agree that Extraordinary Session II House Bill No. 42 be amended in the new Section 12 in line 7 of page 8 by striking the following figures "175,713" and "182,466" and inserting in lieu thereof the following figures: "173,645" and "178,534".

And further amend the new Section 12 in line 11 of page 16 by striking the following figures "600,000" and "—0—" and inserting in lieu thereof the following figures: "548,315" and "420,000".

And that said Extraordinary Session II House Bill No. 42 as hereby amended be approved.

For the Senate: BOYLAN
McOMBER
MATHERS

For the House: DYE
GLENNEN
KOSENA

The Conference Committee report was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Bardanouve, Bennett, Bradley, Brand, Brown, Christiansen, Cox, Darrow, Dye, East, Edland, Falkenstern, Thomas, Gerke, Glennen, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Jackson, Johnston, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lien, Lockwood, Lombardi, Lund, Mather, Mehrens, Menahan, J. Murphy, Nichols, Olson, Parrish, Nelstead, Quilici, Robbins, Schoonover, Shelden, Snortland, Spilde, Towe, Ulmer, Watt, Weeding, Whitney, Worden, Zody, Mr. Speaker. Total 57.

Noes: Aber, Burnett, Ellerd, Forester, Hemstad, Knudsen, Kvaalen, Lynch, McNamer, Marks, Kropp, Prevost, Selstad, Zimmer. Total 14.

Absent or not voting: Baeth, Campbell, Clemow, Devine, Eggebrecht, Fagg, Greely, Hodges, Lee, Lockrem, Lundgren, McGrath, McKittrick, Marbut, Patrick, Scott, Swan, Swanberg, Warfield, Yardley. Total 20.

Excused: Anderson, Fasbender, Fleming, Giesick, Haines, Keller, T. Murphy, Norman, C. Smith, E. Smith, Staigmiller, Sverdsten, Wolf. Total 13.

June 24, 1971

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee, having had under consideration Senate amendments to Extraordinary Session II House Bill No. 41, beg leave to report as follows:

That the Senate recede from Section 8 as contained on page 2 of the Senate amendments dated June 24, 1971, and that Section 8 be stricken in its entirety.

That the subsequent sections be renumbered accordingly.

That the House otherwise accede to the Senate amendments.

And as so amended, that Extraordinary Session II House Bill No. 41 be adopted.

For the Senate: THIESSEN
MACKAY

For the House: ASBJORNSON
SPILDE

Asbjornson moved for adoption of the Conference Committee report.

As a substitute motion, Gunderson moved that the Conference Committee report be not adopted. The substitute motion carried by the following vote:

Ayes: Aber, Ainsworth, Anderson, Aspevig, Baeth, Bardanouve, Bennett, Bradley, Brand, Burnett, Christiansen, Clemow, Cox, Darrow, East, Edland, Ellerd, Falkenstern, Fasbender, Thomas, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Healy, Hemstad, Jackson, Johnston, Keller, Kendall, Knudsen, Kolstad, Kosena, Kvaalen, Laas, Lanthorn, Lee, Lien, Lombardi, Lund, Lynch, McGrath, McKittrick, McNamer, Marks, Mehrens, Menahan, Olson, Parrish, Patrick, Kropp, Nelstead, Prevost, Quilici, Rob-

bins, Schoonover, Selstad, Shelden, Snortland, Spilde, Staigmilller, Towe, Watt, Weeding, Whitney, Worden, Yardley, Zimmer, Zody. Total 71.

Noes: Asbjornson, Brown, Dye, Forester, Harrison, Himsl, Lockwood, Lundgren, Mather, T. Murphy, Nichols, Scott, Ulmer, Mr. Speaker. Total 14.

Absent or not voting: Campbell, Devine, Eggebrecht, Fagg, Hodges, Lockrem, J. Murphy, Marbut, Swan, Swanberg, Warfield. Total 11.

Excused: Fleming, Giesick, Haines, Norman, C. Smith, E. Smith, Sverdsten, Wolf. Total 8.

Paired: Yardley, yes; Asbjornson, no. Staigmilller, yes; Dye, no. Anderson, yes; Nichols, no. McKittrick, yes; T. Murphy, no. Fasbender, yes; Mather, no. Keller, yes; Brown, no. Baeth, yes; Lundgren, no. Harrison, no; Lee, yes. McGrath, yes; Ulmer, no.

MOTIONS AND RESOLUTIONS

Hall moved that the Speaker be authorized to appoint a Free Conference Committee to confer with a like committee from the Senate on Senate Amendments to Extraordinary Session II House Bill No. 41. Motion carried.

The Speaker appointed the following: Asbjornson, Dye, Lynch.

Harrison moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on Senate Amendments to Extraordinary Session II House Bill No. 6. Motion carried.

The Speaker appointed the following: Nichols, Lund, Kosena.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Harrison moved that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Extraordinary Session II Senate Bill No. 5 be amended in Section 1 by adding at the beginning of said section, following the words "Section 1." in line 11 of the Committee of the Whole approved bill, the following:

"In the case of candidates for the Montana House of Representatives, the Montana Senate, and the Montana Constitutional Convention who may be required to run in districts embracing census enumerator divisions located in more than one county," and by striking the capital "T" in the word "The" in line 11 and inserting in lieu thereof a lower-case "t".

And as amended, be concurred in.

That the Committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Ulmer moved that the House suspend the Rules and place Extraordinary Session II Senate Bill No. 5 on Third Reading this day. Motion carried.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, was disposed of in the following manner:

Extraordinary Session II Senate Bill No. 5 was concurred in by the following vote:

Ayes: Aber, Ainsworth, Aspevig, Bennett, Bradley, Brand, Brown, Burnett, Christiansen, Clemow, Cox, Darrow, East, Ellerd, Falkenstern, Thomas, Forester, Gerke, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Hemstad, Himsl, Jackson, Johnston, Kendall, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lockwood, Lombardi, Lundgren, Lynch, McNamer, Marks, Mather, Menahan, J. Murphy, Olson, Parrish, Patrick, Kropp, Nelstead, Prevost, Quilici, Robbins, Schoonover, Scott, Selstad, Shelden, Snortland, Spilde, Swanberg, Towe, Ulmer, Watt, Weeding, Whitney, Worden, Zimmer, Zody, Mr. Speaker. Total 68.

Noes: Lien. Total 1.

Absent or not voting: Asbjornson, Baeth, Bardanouve, Campbell, Devine, Dye, Edland, Eggebrecht, Fagg, Hodges, Kosena, Lee, Lockrem, Lund, McGrath, McKittrick, Marbut, Mehrens, Nichols, Swan, Warfield, Yardley. Total 22.

Excused: Anderson, Fasbender, Fleming, Giesick, Haines, Keller, T. Murphy, Norman, C. Smith, E. Smith, Staigmiller, Sverdsten, Wolf. Total 13.

REPORTS OF SELECT COMMITTEES

The Free Conference Committee on House Bill No. 6 has failed to reach agreement and request that they be discharged.

NICHOLS, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Harrison moved that the Speaker be authorized to appoint a new Free Conference Committee to meet with a like committee from the Senate on Senate Amendments to Extraordinary Session II House Bill No. 6. Motion carried.

The Speaker appointed the following committee: Mather, Himsl, Swanberg.

MESSAGES FROM THE SENATE

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the second Free Joint Conference Committee to Senate Amendments of Extraordinary Session II House Bill No. 6 and a third Free Joint Conference Committee was appointed.

The President appointed the following:

Senator Bertsche, Chairman

Senator Dzivi

Senator Mackay

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day moved to dissolve the present Free Conference Committee appointed to confer on Senate Amendments to Extraordinary Session II House Bill No. 6, and a New Free Conference Committee was appointed.

The President appointed the following:

Senator McKeon, Chairman
Senator Reardon
Senator Broeder

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day moved to dissolve the present Free Conference Committee appointed to confer on Senate Amendments to Extraordinary Session II House Bill No. 41, and a new Free Conference Committee was appointed.

The President appointed the following:

Senator Thiessen, Chairman
Senator Groff
Senator Mathers

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

REPORTS OF STANDING COMMITTEES

June 24, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 34, 40, 37, 11, 12, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 11:10 p.m. o'clock, delivered to the Governor for his approval.

MARKS, Chairman

REPORTS OF SELECT COMMITTEES

June 24, 1971

Mr. President:

Mr. Speaker:

We, your Free Joint Conference Committee on Extrordinary Session II House Bill No. 41 beg leave to report as follows:

That the Senate recede from Section 8 as contained on page 2 of the Senate amendments dated June 24, 1971, and that said Section 8 be stricken in its entirety; that the subsequent sections be renumbered accordingly.

That the Senate recede from the amendments on page 6 of the Senate Amendments dated June 24, 1971, under "State Board of Regents" in paragraph (2) by striking the figures "300,000" and "300,000" and inserting in lieu thereof "250,000" and "250,000"

That the Senate recede from the amendments on page 9 of the Senate Amendments dated June 24, 1971, under "Board of Education" in paragraph (2) (a) by striking the figures "1,625,000" and "1,725,000" and inserting in lieu thereof "1,675,000" and "1,775,000".

That except as above set forth the House accede to the Senate amendments dated June 24, 1971.

And as so amended, that Extraordinary Session II House Bill No. 41 be approved.

For the Senate: THIESSEN
GROFF
MATHERS

For the House: ASBJORNSON
DYE
LYNCH

The Conference Committee report failed to be adopted by the following vote:

Ayes: Asbjornson, Bennett, Christiansen, Devine, Edland, Gerke, Glennen, Greely, Gunderson, Harrison, Johnston, Kosena, Lee, Lien, Lombardi, Lund, Lynch, McGrath, McKittrick, J. Murphy, Quilici, Towe, Ulmer, Watt, Zimmer. Total 25.

Noes: Aber, Ainsworth, Aspevig, Bardanouve, Bradley, Brown, Burnett, Clemow, Cox, Darrow, East, Ellerd, Falkenstern, Thomas, Forester, Hall, Harper, Healy, Hemstad, Jackson, Kendall, Knudsen, Kolstad, Kvaalen, Laas, Lanthorn, Lockwood, Lundgren, McNamer, Marks, Menahan, Olson, Parrish, Patrick, Kropp, Nelstead, Prevost, Robbins, Schoonover, Scott, Shelden, Snortland, Swan, Weeding, Whitney, Worden, Zody, Mr. Speaker. Total 48.

Absent or not voting: Baeth, Brand, Campbell, Dye, Eggebrecht, Fagg, Himsl, Hodges, Lockrem, Marbut, Mather, Mehrens, Nichols, Selstad, Spilde, Swanberg, Warfield, Yardley. Total 18.

Excused: Anderson, Fasbender, Fleming, Giesick, Haines, Keller, T. Murphy, Norman, C. Smith, E. Smith, Staigmiller, Sverdsten, Wolf. Total 13.

MOTIONS AND RESOLUTIONS

Harrison moved that the Speaker be authorized to appoint a new Free Conference Committee to confer with a like committee from the Senate on Senate Amendments to Extraordinary Session II House Bill No. 41. Motion carried.

The Speaker appointed the following committee: Cox, Kvaalen, Aspevig.

MESSAGES FROM THE SENATE

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the House amendment to Extraordinary Session II Senate Bill No. 5.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

HOUSE JOURNAL—EXTRAORDINARY SESSION II
FORTY-SECOND LEGISLATIVE ASSEMBLY

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the report of the Free Joint Conference Committee on Senate Amendments to Extraordinary Session II House Bill No. 42.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

June 24, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the report of the Free Joint Conference Committee on Senate amendments to Extraordinary Session II House Bill No. 23.

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

Harrison moved that House adjourn until 10:00 a.m., June 25, 1971.
Motion carried.

House adjourned.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk.

NINETEENTH EXTRAORDINARY SESSION II LEGISLATIVE DAYHouse of Representatives
Helena, Montana
June 25, 1971

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair.

Invocation by the Chaplain and Pledge of Allegiance to the Flag.

On roll call all members were present except Anderson, Baeth, Campbell, Eggebrecht, Fleming, Giesick, Haines, Keller, Knudsen, Murphy, T., Norman, Smith, C., Smith, E., Staigmiller, Sverdsten, Wolf, Yardley, excused.

Mr. Speaker: We, your Committee on Rules and Journal, have examined the Journal for the Eighteenth Legislative Day Extraordinary Session II and find the same correct.

HARRISON, Chairman
CHRISTIENSEN

MESSAGES FROM THE SENATE

June 24, 1971

Mr. Speaker:

I have been directed by the Senate to inform your Honorable Body that the Senate this day dissolved the second Free Joint Conference Com-

mittee on Senate Amendments to Extraordinary Session II House Bill No. 41 and a third Free Conference Committee was appointed.

The President appointed the following:

Senator Thiessen, Chairman
Senator Sheehy
Senator Mathers

Respectfully,

WALTER H. MARSHALL
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that consideration of Extraordinary Session II House Bill No. 43 be passed for this day. Motion carried.

REPORTS OF STANDING COMMITTEES

June 25, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Extraordinary Session II House Bill No. 42.

MARKS, Chairman

I have examined Extraordinary Session II House Bill No. 42 introduced by me and find the same to be correct.

DYE

The Speaker signed in open session the following bills: Extraordinary Session II Senate Bill No. 5 and Extraordinary Session II House Bill No. 42.

REPORTS OF SELECT COMMITTEES

June 25, 1971

Mr. President:

Mr. Speaker:

We, your Free Joint Conference Committee on Extraordinary Session II House Bill No. 41 beg leave to report as follows:

That the Senate recede from Section 6 as contained on page 2 of the Senate Amendments dated June 24, 1971 and that the said Section 6 be amended to read as follows:

"Section 6. No new program may be established and no existing program may be expended beyond the scope of the programs approved by the legislature in the 1973 biennial budget, unless the new program or the program expansion and its method of financing is approved by the Board of Education in the case of programs administered by the Superintendent of Public Instruction and by the Board of Regents in the case of programs administered by Units of the University System but in each case written report thereof shall immediately be made to the Governor and the Director of the Budget Division."

That the Senate recede from Section 8 as contained on page 2 of the Senate amendments dated June 24, 1971, and that said Section 8 be stricken in its entirety; that the subsequent sections be renumbered accordingly.

That the Senate recede from its amendments on page 4 of the Senate

Amendments dated June 24, 1971 under "Agricultural Experiment Station" (1) by striking the figures

"2,000,000" and "2,000,000"

and inserting in lieu thereof the figures

"1,950,000" and "1,950,000".

That the Senate recede from the amendments on page 9 of the Senate Amendments dated June 24, 1971 under "Board of Education" in paragraph (2) (a) by striking the figures

"1,625,000" and "1,725,000"

and inserting in lieu thereof the figures

"1,675,000" and "1,775,000".

That except as above set forth the House accede to the Senate amendments dated June 24, 1971.

And as so amended, that Extraordinary Session II House Bill No. 41 be approved.

FOR THE SENATE: THIESSEN, Chairman
SHEEHY
MATHERS

FOR THE HOUSE: COX, Chairman
KVAALEN
ASPEVIG

The Conference Committee report was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Bennett, Brand, Christiansen, Clemow, Cox, Darrow, Devine, Dye, Fagg, Falkenstern, Thomas, Glennen, Greely, Hall, Harrison, Healy, Johnston, Kendall, Kolstad, Kosena, Laas, Lanthorn, Lee, Lombardi, Lund, Lynch, McGrath, McKittrick, Marbut, Mather, Mehrens, Murphy, J., Nichols, Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, Swanberg, Towe, Ulmer, Warfield, Watt, Weeding, Worden, Zimmer, Zody, Mr. Speaker. Total 55.

Noes: Aber, Bradley, Burnett, East, Edland, Ellerd, Forester, Gunder-son, Himsl, Hodges, Jackson, Knudsen, Kvaalen, Lien, Lockrem, Lockwood, McNamer, Marks, Menahan, Kropp, Prevost, Selstad, Snortland, Swan, Whitney. Total 25.

Absent or not voting: Bardanouve, Brown, Gerke, Harper, Hemstad, Lundgren, Spilde. Total 7.

Excused: Anderson, Baeth, Campbell, Eggebrecht, Fasbender, Fleming, Giesick, Haines, Keller, Murphy, T., Norman, Smith, C., Smith, E., Staigmiller, Sverdsten, Wolf, Yardley. Total 17.

June 25, 1971

Mr. President and Speaker of the House:

We, your free joint Senate and House Conference Committee, having had under consideration Senate amendments to Extraordinary Session II House Bill 6, beg leave to report as follows:

That the House accede to the Senate amendments of June 24, 1971, except as follows:

That on page 5, following line 5 of the bill, there be adopted a new heading to read as follows:

“Environmental Quality Council

From the federal and private
revenue fund, any and all monies
available are hereby appropriated.”

That on page 2 of the Senate amendments, second from last paragraph, on page 6, line 23 of the bill, the figures “79,000” and “73,700” be omitted and insert in lieu thereof the figures “94,000” and “88,700”.

That the Senate recede from the Senate amendment on page 3 of said amendments, being page 7, line 13 of the bill.

That the Senate amendments be amended on page 3 of said amendments, concerning page 8, line 20 of the bill, by omitting the figures “200,000” and “210,000” and inserting in lieu thereof the figures “192,500” and “202,500”.

That the Senate amendments be amended on page 3 of said amendments, concerning page 8, line 23 of the bill, by omitting the figures “34,000” and “35,000” and inserting in lieu thereof the figures “30,750” and “31,750”.

And as so amended, be adopted.

For the Senate: BERTSCHE
DZIVI
MACKAY

For the House: MATHER
HIMSL
SWANBERG

The Conference Committee report was adopted by the following vote:

Ayes: Asbjornson, Aspevig, Bardonouve, Bradley, Brand, Brown, Christiansen, Darrow, Devine, Dye, Edland, Thomas, Glennen, Greely, Gunderson, Hall, Harper, Harrison, Healy, Himsl, Johnston, Kendall, Kosena, Laas, Lanthorn, Lee, Lien, Lombardi, Lund, Lynch, McGrath, McKittrick, Mehrens, Menahan, Murphy, J., Olson, Parrish, Patrick, Nelstead, Quilici, Robbins, Schoonover, Scott, Shelden, Swanberg, Towe, Watt, Weeding, Worden, Zimmer, Zody. Total 51.

Noes: Aber, Ainsworth, Bennett, Burnett, Clemow, Cox, East, Ellerd, Fagg, Falkenstern, Forester, Hemstad, Hodges, Jackson, Knudsen, Kvaalen, Lockrem, Lockwood, McNamer, Marbut, Marks, Mather, Nichols, Kropp, Prevost, Selstad, Snortland, Spilde, Swan, Ulmer, Warfield, Whitney, Mr. Speaker. Total 33.

Absent or not voting: Gerke, Kolstad, Lundgren. Total 3.

Excused: Anderson, Baeth, Campbell, Eggebrecht, Fasbender, Fleming, Giesick, Haines, Keller, Murphy, T., Norman, Smith, C., Smith, E., Staigmiller, Sverdsten, Wolf, Yardley. Total 17.

Harrison moved that the House recess until 1:00 p.m., this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

June 25, 1971

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Extraordinary Session II House Bill Nos. 23, 6, 41.

MARKS, Chairman

I have examined Extraordinary Session II House Bill No. 6 introduced by Haines and find the same to be correct.

HARRISON for HAINES

I have examined Extraordinary Session II House Bill No. 23 introduced by me and find the same to be correct.

PATRICK

I have examined Extraordinary Session II House Bill No. 41 introduced by me and find the same to be correct.

ASBJORNSON

The Speaker signed the following bills in open session: Extraordinary Session II House Bills Nos. 6, 23, 41.

June 25, 1971

Mr. Speaker: We, your Committee on Enrollment, to whom was referred Extraordinary Session II House Bills Nos. 6, 23, 41, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 6:05 o'clock, p.m., delivered to the Governor for his approval.

MARKS, Chairman

June 25, 1971

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House Attaches, heretofore employed, are to be employed during the post-session for the number of days stated below, to take effect after adjournment.

Chief Clerk	Zack Stevens	5
Asst. Chief Clerk	C. Lowell Purdy	2
Secretary to Chief Clerk	Sara Ellen Reid	4
Sec. to Asst. Chief Clerk	Roberta K. Pool	1
Bills Clerk	Bernice Mitchell	3
Steno to Bills Clerk	Dolores Schulke	2
Journal Clerk	Rosella Wilson	3
Asst. Journal Clerk	Edna Mae Leonard	1
Typist	Charlotte Hoppe	1
Sergeant-at-Arms	Robert S. Hanson	8
Asst. Sergeant-at-Arms	Jerry Kirtley	3
	Selmer J. Kolstad	3
Doorkeepers	Gene Will	1
	Anthony Strojan	1
Pages	Laurie Jo Darragh	1
	Karen Eck	1
	Nancy Holmes	1
	Michael O. Morris	1
	S. Fred Thomas	1

Secretary to Speaker	Karen Nyberg	15
Secretary to Majority Leader	Judy Walters	2
Secretary to Minority Leader	Ann D. Jensen	2
Secretary—Payroll Clerk	Virginia Michels	7
Bills Co-ordinator	Madeline Samson	2
Chief Steno	Eva K. Seeley	3
Asst. Chief Steno	Mary Kunnary	1
Steno	Toni Marquardt	1
Committee Secretaries	Marie Hensleigh	1
	Barbara Lester	2
	Pat Romine	3
Chief Multilith Clerk	Agnes R. Screnar	2
Asst. Chief Multilith Clerk	Florence L. Stermitz	1
Chief Mailing Clerk	Orville C. Hanson	2
Asst. Chief Mailing Clerk	Isabel E. Creighton	1
Mailing Clerk	Peggy Waugh	1
Chief Engrossing & Enrolling	Elizabeth B. Guffey	4
Asst. Chief Engrossing	Mercedes G. Hanson	2
Asst. Chief Enrolling	Zella P. Neilson	2
Chief Typist	Janice E. Saeman	3
Typists	Diane Burnett	1
	Eleanor E. Bushilla	1
	Alice J. Merritt	1
	Cathy Ann Moody	1
	Karlee Scow	1
Chief Proofreader	Beryl M. Bielen	1
Proofreaders	Claudia Bunn	1
	Colleen Canty	1
	Debra Castles	1
	June Easton	1
	Jane Kufeld	1
	Hilja Moe	1
	Helen Wilson	1
	Betty Ann Guffey	1
Runner		
	SPILDE, Chairman	

Report adopted.

June 25, 1971

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following named House Attaches, heretofore employed, are to be removed from the employment list effective on adjournment, June 25, 1971.

Chief Clerk	Zack Stevens
Assistant Chief Clerk	C. Lowell Purdy
Sec. to Chief Clerk	Sara Ellen Reid
Sec. to Asst. Chief Clerk	Robert K. Pool
Bills Clerk	Bernice Mitchell
Steno to Bills Clerk	Dolores Schulke
Journal Clerk	Rosella Wilson
Asst. Journal Clerk	Edna Mae Leonard
Typist	Charlotte Hoppe
Sergeant-at-Arms	Robert S. Hanson
Asst. Sergeant-at-Arms	Jerry Kirtley
	Selmer J. Kolstad

Chaplain	Rev. Roy D. Bergquist
Secretary to Speaker	Karen Nyberg
Secretary to Majority Leader	Judy Walters
Secretary to Minority Leader	Ann D. Jensen
Secretary—Payroll Clerk	Virginia Michels
Bills Co-ordinator	Madeline Samson
Doorkeepers	Gene Will
	Anthony Strojan
Pages	Laurie Jo Darragh
	Karen Eck
	Nancy Holmes
	S. Fred Thomas
	Michael O. Morris
Night Watchmen	Cordell Brown
	Tom Erving
Chief Steno	Eva K. Seeley
Asst. Chief Steno	Mary Kunnary
Stenos	Kathy Castles
	Louise Fulbright
	Noel Haegen
	Toni Marquardt
	Judy Pratt
	Virginia Waterman
Committee Secretaries	Marie Hensleigh, Re-apportionment
	Barbara Lester, Ways and Means
	Pat Romine, Appropriations
Chief Multilith Clerk	Agnes R. Screnar
Asst. Chief Multilith Clerk	Florence L. Stermitz
Multilith Clerks	Judy Harris
	Pat Isaak
	Melody Jackson
	Debbra Kessner
	Michael Kokoruda
	Troy W. McGee, Jr.
	Frances Meyer
	Marilyn Rodgers
	Margaret Waddell
	Patricia Warfield
	Dan Weber
Chief Mailing Clerk	Orville C. Hanson
Asst. Chief Mailing Clerk	Isabel E. Creighton
Mailing Clerks	Ann D. Richeson
	Peggy Waugh
Runner	Cedric A. Kolstad
Chief Engrossing & Enrolling	Elizabeth B. Guffey
Asst. Chief Engrossing	Mercedes G. Hanson
Asst. Chief Enrolling	Zella P. Neilson
Chief Typist	Janice E. Saeman
Typist	Diane Burnett
	Eleanor E. Bushilla
MTST	Alice J. Merritt
	Cathy Ann Moody
MTST	Margaret Schneider
	Karlee Scow
Chief Proofreader	Beryl M. Bielen

Proofreaders Claudia Bunn
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 Jane Kufeld
 Hilja Moe
 Helen Wilson

Runner Betty Ann Guffey

Report adopted. SPILDE, Chairman

MESSAGES FROM THE GOVERNOR

June 25, 1971

Honorable James P. Lucas
 Speaker for the House
 House of Representatives
 State Capitol

Dear Sir:

This will inform you that I have this day signed into law Extraordinary Session II House Bill No. 28.

Sincerely,

FORREST H. ANDERSON
 Governor

MESSAGES FROM THE SENATE

June 25, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on roll call vote adopted the Free Joint Conference Committee report on Senate Amendments to Extraordinary Session II House Bill No. 41.

Respectfully,

WALTER H. MARSHALL
 Secretary of the Senate

June 25, 1971

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the Free Joint Conference Committee report on Senate amendments to Extraordinary Session II House Bill No. 6.

Respectfully,

WALTER H. MARSHALL
 Secretary of the Senate

MOTIONS AND RESOLUTIONS

Harrison moved that a committee of three members be appointed by the Speaker to notify the Honorable Senate that the House of Representatives of the Second Extraordinary Session of the 42nd Legislative Assembly of the State of Montana having completed its business, is about to adjourn sine die. Motion carried.

Thereupon the Speaker appointed the following committee to notify the Senate: Asbjornson, Bardanouve, Worden.

A motion was made by Harrison and duly carried, that the Speaker appoint a committee of three to notify His Excellency, the Governor, that the House of Representatives of the Second Extraordinary Session of the 42nd Legislative Assembly of the State of Montana, having completed its business, is about to adjourn sine die.

Thereupon, the Speaker appointed the following committee to notify the Governor: Hemstad, Marks, Burnett.

A motion was made by Harrison and duly carried, that the Speaker appoint a committee of three to notify the Supreme Court that the House of Representatives of the Second Extraordinary Session of the 42nd Legislative Assembly of the State of Montana is about to adjourn sine die.

Thereupon, the Speaker appointed the following committee to notify the Supreme Court: Himsl, Warfield, Quilici.

Harrison moved that an office, furnishings and telephone be retained for use of the Speaker during the interim. Motion carried.

A committee from the Senate was received which notified the House that the Senate, having completed its business, was ready to adjourn sine die.

The House committee appointed to notify the Supreme Court that the House was ready to adjourn, returned to report that the message had been delivered. The Speaker thanked the committee and it was discharged.

The House committee appointed to notify the Governor that the House was ready to adjourn, returned to report that the message had been delivered. The Speaker thanked the committee and it was discharged.

The House committee appointed to notify the Senate that the House was ready to adjourn, returned to report that the message had been delivered. The Speaker thanked the committee and it was discharged.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the 19th Legislative Day Extraordinary Session II find the same correct.

HARRISON, Chairman
CHRISTIANSEN

Motion was made by Harrison and duly carried, that the House of Representatives of the Second Extraordinary Session of the 42nd Legislative Assembly of the State of Montana now stand adjourned sine die.

House adjourned sine die.

JAMES P. LUCAS, Speaker

ZACK STEVENS, Chief Clerk

HOUSE JOURNAL

MONTANA LEGISLATIVE COUNCIL
OF THE LIBRARY

Forty-second Legislative Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
Commencing in Regular Session January 4, 1971, and
Ending March 4, 1971, and
Commencing in Extraordinary Session March 8, 1971, and
Ending April 3, 1971, and
Commencing in Second Extraordinary Session June 7, 1971, and
Ending June 25, 1971.

Zack Stevens
Chief Clerk

Rosella Wilson
Journal Clerk

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Ending June 25, 1971.

Zack Stevens
Chief Clerk

Rosella Wilson
Journal Clerk

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OFFICERS AND MEMBERS

OF THE

Forty-second Legislative Assembly of the State of Montana 1971

FORREST H. ANDERSON, Governor

Thomas L. Judge, Lieutenant Governor, President of the Senate

William F. Hafferman, President Protem of the Senate

Stanley Nees, President Pro Tem (Ad Interim)

James P. Lucas, Speaker of the House

Members of the Senate

NAME	DIST. NO.	RESIDENCE OR MAILING ADDRESS	COUNTY OF RESIDENCE	POLITICS
Bennett, W. F.	30	Box 100, Columbia Falls 59912	Flathead	Republican
Bertsche, Wm. H.	18	1917 4th Ave. N., Gt. Falls 59401	Cascade	Democrat
*Bollinger, Gordon E.	5	217 Klein Ave. N., Glasgow 59230	Valley	Democrat
*Boylan, Paul F.	15	Star Rte., Bozeman 59715	Gallatin	Democrat
*Broeder, Fred O.	30	Rt. 4, Kalispell 59901	Flathead	Republican
1. *Brownfield, Ben	2	Box 1364, Glendive 59330	Dawson	Republican
Carl, Fred G.	26	Box 477, Missoula 59801	Missoula	Republican
*Cochrane, Archie M.	9	2958 Upper Highwood, Billings 59102	Yellowstone	Republican
Cotton, Robert S.	5	Box 27, Glasgow 59230	Valley	Democrat
*Deschamps, G. W. "Por"	26	Rt. 2, Missoula 59801	Missoula	Republican
*DeWolfe, Percy	29	Browning 59417	Glacier	Democrat
Drake, Glen L.	21	Power Block Annex, Helena 59601	Lewis & Clark	Republican
*Dzivi, Dick	18	G.F. Nat'l Bk. Bldg., Gt. Falls 59401	Cascade	Democrat
Flynn, Elmer	26	Rt. 2, Mullan Rd., Missoula 59801	Missoula	Democrat
Gilfeather, P. J.	18	2816 4th Ave. So., Gt. Falls 59401	Cascade	Democrat
*Goodheart, B. J. "Swede"	10	Box 1013, Malta 59538	Phillips	Democrat
Graham, Carroll A.	8	Lodge Grass 59050	Big Horn	Democrat
Groff, W. A. "Bill"	25	Box 46, Victor 59875	Ravalli	Democrat
*Hafferman, William F.	31	Route 3, Box 1274, Libby 59923	Lincoln	Democrat
Hanks, Virgil	15	Star Route, Gallatin Gateway 59730	Gallatin	Democrat
Hazelbaker, Frank W.	24	Box 430, Dillon 59725	Beaverhead	Republican
*Hibbard, Henry S.	21	618 Madison, Helena 59601	Lewis & Clark	Republican
James, David F.	19	Box 221, Joplin 59531	Liberty	Democrat
Keenan, P. J.	22	1112 E. 5th St., Anaconda 59711	Deer Lodge	Democrat
Klindt, Herbert J.	9	402 Alderson Ave., Billings 59102	Yellowstone	Republican
Lowe, William R. "Bill"	9	1008 Poly Drive, Billings 59102	Yellowstone	Republican
*Lynch, Neil J.	23	421 Medical Arts Bldg., Butte 59701	Silver Bow	Democrat
*Lyon, John	20	KSEN Radio, Shelby 59474	Toole	Republican
Mackay, William R.	13	Roscoe 59071	Carbon	Republican
*Manning, Dave M.	6	Hysham 59038	Treasure	Democrat
*Mathers, William L.	7	Box 267, Miles City 59301	Custer	Republican
*McCallum, George	27	Niarada 59852	Sanders	Republican
*McDonald, John K. (Jack)	18	Belt 59412	Cascade	Democrat
*McGowan, Gordon	17	Highwood 59450	Chouteau	Democrat
*McKeon, John L. (Luke)	22	316 E. 7th, Anaconda 59711	Deer Lodge	Democrat
McOmber, Gordon	20	Fairfield 59436	Teton	Democrat
*Mitchell, Harry B.	18	c/o Ayrshire Dairy, Gt. Falls 59401	Cascade	Democrat
*Moore, Jim	12	Two Dot 59085	Wheatland	Republican
Moritz, Earl	11	1024 West Evelyn, Lewistown 59457	Fergus	Republican
*Nees, Stanley	4	Poplar 59255	Roosevelt	Democrat
*Northey, Harry T.	26	514 Daly, Missoula 59801	Missoula	Republican
*Reardon, Frank D.	23	801 Maryland, Butte 59701	Silver Bow	Democrat
5. *Rehberg, Jack D.	9	2317 Rehberg Lane, Billings 59102	Yellowstone	Republican
Rosell, Antoinette Fraser	9	4200 Rimrock Rd., Billings 59102	Yellowstone	Republican
*Rostad, Carl	16	Loweth Rt., Martinsdale 59053	Meagher	Republican
Rugg, Glen T.	1	Box 188, Plevna 59344	Fallon	Republican
Shea, James R. "Jimmy"	23	604 W. Daly St., Walkerville 59701	Silver Bow	Democrat
*Sheehy, John C.	9	1041 Poly Dr., Billings 59102	Yellowstone	Democrat
*Siderius, George	30	c/o Somer's Stage, Kalispell 59901	Flathead	Democrat
Sorensen, C. F. (Smoky)	18	#9 Brookwood Park, Rt. 1 S., Gt. Falls 59401	Cascade	Democrat
Stein, Ben H.	14	Wilsall 59086	Park	Republican
*Stephens, Stan	19	33 Beaver Creek Blvd., Havre 59501	Hill	Republican
*Thiessen, Corrie R.	3	Box 195, Lambert 59243	Richland	Democrat
Turnage, Jean A.	28	Box 450, Polson 59860	Lake	Republican
Vainio, Leonard E.	23	1701 Grand Ave., Butte 59701	Silver Bow	Democrat

*Holdover, term expires 1973; all other Senators four-year terms.

1. *Hughes, Thomas W., Dist. 2, 311 Sigmund St., Glendive 59330, Dawson, Republican, appointed May 10, 1971 to succeed the Honorable Ben Brownfield, deceased. Term expires 1973.

5. *Porter, Howard C., Dist. 9, 2412 A St., Billings 59102, Yellowstone, Republican, appointed July 9, 1971 to succeed the Honorable Jack D. Rehberg, resigned. Term expires 1973.

House of Representatives

NAME	DIST. NO.	RESIDENCE OR MAILING ADDRESS	COUNTY OF RESIDENCE	POLITICS
Aber, L. M. (Larry)	13	228 E. 3rd Ave. Columbus 59019	Stillwater	Republican
Ainsworth, A. L. (Bud)	26	4111 Timberlane, Missoula 59801	Missoula	Republican
Anderson, Robert M.	17	Box 673, Fort Benton 59442	Chouteau	Democrat
Asbjornson, J. O. "Boots"	11	Winifred 59489	Fergus	Republican
Aspevig, LeRoy "Bud"	19	Box 151, Rudyard 59540	Hill	Democrat
Baeth, William R. (Bill)	31	805 Minnesota Ave., Libby 59923	Lincoln	Democrat
Bardanoue, Francis	10B	Harlem 59526	Blaine	Democrat
Bennett, George T.	21	11 Edwards St., Helena 59601	Lewis & Clark	Republican
Bradley, Dorothy	15	1105 So. Tracy, Bozeman 59715	Gallatin	Democrat
Brand, Joe	22A	800 Montana Ave., Deer Lodge 59722	Powell	Democrat
Brown, Robert J.	30	Rt. #1, Whitefish 59937	Flathead	Republican
Burnett, James H. "Jim"	13	Luther 59051	Carbon	Republican
Campbell, William R. "Lefty"	26	620 Crestline Dr., Missoula 59801	Missoula	Republican
Christiansen, Bill	8	310 N. Crow., Hardin 59034	Big Horn	Democrat
Clemow, Tom	24A	Jackson 59736	Beaverhead	Republican
Cox, Henry S. "Hank"	9	1439 Colton Blvd., Billings 59102	Yellowstone	Republican
Darrow, George	9	Box 2001, Billings 59101	Yellowstone	Republican
Devine, John W. (Jack)	18	Park Garden Lane, Gt. Falls 59401	Cascade	Democrat
Dye, Robert F.	15	610 So. Willson Ave., Bozeman 59715	Gallatin	Republican
East, Vic	6	Box 83, Forsyth 59327	Rosebud	Republican
Eldand, Wallace B.	5B	Box 98, Scobey 59263	Daniels	Democrat
Esgebrecht, Ralph F.	4	320 Edgar St., Wolf Point 59201	Roosevelt	Democrat
Ellerd, Robert A.	15	2206 Bridger Dr., Bozeman 59715	Gallatin	Republican
Fagg, Harrison G.	9	1414 Mystic Drive, Billings 59102	Yellowstone	Republican
Falkenstern, Arnold H.	1	Box 607, Terry 59349	Prairie	Republican
Fasbender, Larry	18	Rt. 1, Box 23, Fort Shaw 59443	Cascade	Democrat
2. Fitzgarrald, Jack E.	25	Box 195, Stevensville 59870	Ravalli	Republican
Fleming, James F., Jr.	28	Box 116, Pablo 59855	Lake	Democrat
Forester, Dick	9	439 Grandview Blvd., Billings	Yellowstone	Republican
Gerke, Harold E.	9	202 Mountain View Blvd., Billings 59101	Yellowstone	Democrat
Giesick, Gary	9	Rt. 4, Central, Billings 59102	Yellowstone	Republican
Glennen, Robert E.	9	1226 Yale, Billings 59102	Yellowstone	Republican
Greely, Michael T.	18	409 Strain Bldg., Gt. Falls 59401	Cascade	Democrat
Gunderson, Jack	18	Power 59468	Cascade	Democrat
Haines, Tom	26	15 Martha's Court, Missoula 59801	Missoula	Republican
Hall, John C.	18	1020 3rd Ave. No., Gt. Falls 59401	Cascade	Democrat
Harper, Robert J. "Bob"	23	68 Missoula Ave., Butte 59701	Silver Bow	Democrat
Harrison, James T., Jr.	21	820 No. Montana Ave., Helena 59601	Lewis & Clark	Republican
Healy, John E. (Jack)	23	624 W. Granite St., Butte 59701	Silver Bow	Democrat
Hemstad, Nels	20C	Dutton 59433	Teton	Republican
Hims, Matt	30	305 4th Ave. E., Kalispell 59901	Flathead	Republican
Hodges, William C.	18	106 25th St. No., Gt. Falls 59401	Cascade	Democrat
Jackson, Peter V.	24B	Box 86, Harrison 59735	Madison	Democrat
Johnston, George R.	29	504 3rd St. SE, Cut Bank 59427	Glacier	Democrat
Keller, M. F.	18	509 2nd Ave. No., Gt. Falls 59401	Cascade	Republican
Kendall, Orin P.	27	Box 563, Thompson Falls 59873	Sanders	Democrat
Knudsen, D. L. "Ike"	5B	Box 1127, Glasgow 59230	Valley	Democrat
Kolstad, Allen C.	19	Box 648, Chester 59522	Liberty	Republican
Kosena, Albert E.	22B	106 N. Main, Anaconda 59711	Deer Lodge	Democrat
Kvaalen, Oscar S.	3	Lambert 59243	Richland	Republican
Laas, Walter	19	Chester 59522	Liberty	Democrat
Lanthorn, Bruce W.	21	5180 Kerr Ln., Helena 59601	Lewis & Clark	Republican
Lee, Robert E. (Bob)	23	1945 Florida Ave., Butte 59701	Silver Bow	Democrat
Lien, Orphey "Bud"	4	Box 666, Poplar 59255	Roosevelt	Democrat
Lockrem, Lloyd C., Jr.	9	3109 Edmond St., Billings 59102	Yellowstone	Republican
Lockwood, R. M. (Monte)	15	1207 E. Curtiss, Bozeman 59715	Gallatin	Republican
Lombardi, Jerry V.	23	947 Waukesha, Butte 59701	Silver Bow	Democrat
Lucas, James P.	7	1920 Sudlow, Miles City 59301	Custer	Republican
Lund, Art	5B	Scobey 59263	Daniels	Republican
Lundgren, Conrad F.	30	844 Woodland Ave., Kalispell 59901	Flathead	Republican
Lynch, John "J.D."	23	527 W. Mercury, Butte 59701	Silver Bow	Democrat
McGrath, Harold	23	640 So. Montana, Butte 59701	Silver Bow	Democrat
McKittrick, Pat	18	4039 Ella Ave., Gt. Falls 59401	Cascade	Democrat
McNamer, Hugh F.	29	Box 685, Cut Bank 59427	Glacier	Republican
Marbut, Gary R.	26	Grant Creek, Missoula 59801	Missoula	Republican
Marks, Robert L.	16	Box 116, Clancy 59634	Jefferson	Republican
Mather, W. S. (Bill)	9	2031 Pryor Ln., Billings 59102	Yellowstone	Republican
Mehrens, John (Sandy)	22B	206 Evergreen, Anaconda 59711	Deer Lodge	Democrat
Menahan, William "Red"	22B	1304 W. 5th, Anaconda 59711	Deer Lodge	Democrat
Murphy, James E.	30	604 Woodland, Kalispell 59901	Flathead	Republican
Murphy, Terry L.	16	Cardwell 59721	Jefferson	Democrat
Nichols, Norris	25	Rt. 2, Stevensville 59870	Ravalli	Republican
Norman, Bill	26	440 Connell, Missoula 59801	Missoula	Democrat
Olson, S. A.	2	Glendive Medical Center, Glendive 59330	Dawson	Republican
Parrish, Bradley B. (Brad)	11	103 Hillcrest Dr., Lewistown 59457	Fergus	Democrat
Patrick, Chase	21	714 6th Ave., Helena 59601	Lewis & Clark	Republican
3. Perry, Louis	10A	Box 178, Malta 59538	Phillips	Republican
4. Pierce, John H.	9	1312 Parkhill Dr., Billings 59102	Yellowstone	Republican
Prevost, Robert C.	3	Lambert 59243	Richland	Democrat
Quilici, Joe	23	3040 Kossuth, Butte 59701	Silver Bow	Democrat

HOUSE OF REPRESENTATIVES—(Continued)

Robbins, Hershel M.....	12A	915 1st St. E., Roundup 59072.....	Musselshell.....	Democrat
Schoonover, Leland.....	28	Box 941, Polson 59860.....	Lake.....	Democrat
Scott, Jeffrey J.....	9	194 Mountain View Blvd., Billings 59101.....	Yellowstone.....	Republican
Selstad, Tom.....	18	133 29th Ave. NW, Gt. Falls 59401.....	Cascade.....	Republican
Shelden, Arthur H.....	31	Rt. 1, Box 1650, Libby 59923.....	Lincoln.....	Democrat
Smith, Carl M.....	8	Olive 59343.....	Powder River.....	Republican
Smith, Ed. B.....	5A	Dagmar 59219.....	Sheridan.....	Republican
Snortland, Everett M.....	20B	207 So. Colorado, Conrad 59425.....	Pondera.....	Republican
Spilde, Gene.....	12B	Box 298, Big Timber 59011.....	Sweet Grass.....	Republican
Staigmiller, John B.....	18	Box 422, Cascade 59421.....	Cascade.....	Democrat
Sverdsten, Dale.....	27	Box 425, Superior 59872.....	Mineral.....	Republican
Swan, Miles L.....	17	Highwood 59450.....	Chouteau.....	Republican
Swanberg, Gorham E.....	18	Box 2567, Gt. Falls 59401.....	Cascade.....	Democrat
Towe, Thomas E.....	9	2640 Burlington Ave., Billings 59102.....	Yellowstone.....	Democrat
Ulmer, Walter J.....	7	121 So. Merriam Ave., Miles City 59301.....	Custer.....	Republican
Warfield, Bill.....	14	Hoffman Rt., Livingston 59047.....	Park.....	Republican
Watt, Robert D.....	26	451 Kensington Ave., Missoula 59801.....	Missoula.....	Democrat
Weeding, Cecil F.....	6	Box 78, Jordan 59337.....	Garfield.....	Democrat
Whitney, Earl.....	1	Box 291, Ekalaka 59324.....	Carter.....	Republican
Wolf, Kenneth M.....	20A	1126 2nd St. S., Shelby 59474.....	Toole.....	Republican
Worden, H. O. (Bill).....	26	208 Pattee Canyon Drive, Missoula 59801.....	Missoula.....	Republican
Yardley, Dan.....	14	Box 482, Livingston 59047.....	Park.....	Democrat
Zimmer, William H.....	30	Box 67, Olney 59927.....	Flathead.....	Democrat
Zody, A. A.....	2	503 S. Pearson Ave., Glendive 59330.....	Dawson.....	Democrat

2. Thomas, Robert J., Dist. 25, Box 111, Stevensville 59870, Ravalli, Republican, appointed June 2, 1971 to succeed the Honorable Jack E. Fitzgarrald, deceased.
3. Kropp, Paul K., Dist. 10A, Box 520, Malta 59538, Phillips, Republican, appointed April 1, 1971 to succeed the Honorable Louis Perry, resigned.
4. Nelstead, Keith T., Dist. 9, 2941 Miles Ave., Billings 59102, Yellowstone, Republican, appointed January 13, 1971 to succeed the Honorable John H. Pierce, deceased.

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Urging existing passenger train service in Montana
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on abandonment of rail lines 3 adoptedDave McNally declared honorary member of 42nd
legislative session 4 adoptedSupporting the construction of a large MHD
power plant 5 adoptedLegislative council requested to study need and
feasibility of deriving revenue from all tax-
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tion 7 not adoptedRequesting constitutional convention to consider
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Ferry reservoir 15 adoptedLegislative council requested to study railroad and
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of Montana 18 not adopted

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Legislative council requested to study whether health service corporations should be under jurisdiction of insurance commissioner	20	adopted	
Recognizing the song "Old Montana" as worthy of taking its place in the musical history of Montana	21	adopted	
Department of administration directed to keep certain areas of capitol open Saturdays and Sundays during summer	22	not adopted	
Requesting re-establishment of railway postal cars and more efficient mail service	23	adopted	
Directing study of pollution in Clarks Fork of Yellowstone River	24	adopted	
Urging investigation of ways to restore public lands disturbed by mining exploration in Bear-tooth mountains	25	adopted	
Asking federal and state agencies to consider needs of town of Rexford	26	adopted	
Commending the selection and use of Montana for film, "Little Big Man"	27	adopted	
Requesting public hearings before sale or exchange of federal lands in Montana	28	not adopted	
Urging appointment of executive secretary of university system as coordinator of community college districts	29	adopted	
Directing appointment of 2 representatives to bipartisan joint congressional liaison mine land reclamation law committee	30	adopted	
Directing house to amend rules relating to introduction of bills	31	not adopted	
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	34	adopted	

Resolutions, House First Extraordinary

EX1

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Asking constitutional convention to study idea of presidential primary	1	not adopted
Asking congressional delegation to seek grant for six-state mountain plains educational center at Glasgow air force base	2	adopted
Requesting congressional delegation oppose funds for SST	3	not adopted
Requesting constitutional convention consider legalizing gambling	4	not adopted
Recognizing time and effort of professor Robert Taylor in assisting reapportionment committee	5	adopted
Asking forest service to construct a bridge at Cherry Creek in Lincoln county	6	not adopted
Asking railroads be required to return lands received as grant from federal government because of discontinuance of service	7	not adopted
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Urging improvement of aquatic environment of Fort Peck area	2	not adopted	
Urging increased federal funds for student assistance programs	3	not adopted	
Directing secretary of state send verifax copies of bills and resolutions to legislative council	4	not adopted	
Resolutions, House Joint	H.J.R. No.	Status	
Legislative council requested to study public welfare programs	1	adopted	
Urging teaching of consumer education in all schools	2	adopted	
Urging withdrawal of U.S. armed forces from Viet Nam	3	not adopted	
Urging congress to maintain tax-exempt status of bonds	4	adopted	
Urging basic national rail passenger system to include one passenger train daily	5	not adopted	
Urging construction of a fish hatchery at Murry Springs	6	adopted	
Directing placement of bust of Governor Joseph M. Dixon in capitol rotunda	7	adopted	
Requesting legislative council with league of cities and towns study election laws for municipalities	8	not adopted	
Endorsing ROTC in schools and urging continued support and strengthening	9	adopted	
State water resources board to assign control of certain lands to fish and game department	10	not adopted	
Legislative council asked to study feasibility of adopting uniform consumer credit code	11	not adopted	
Superintendent of public instruction requested to computerize all data needed to compute foundation program schedules	12	adopted	
Historical society directed to portray history of logging industry in museum	13	adopted	
Supporting captured American fighting men and those missing in action	14	adopted	
Consenting to supplement the construction of the addition and renovation of the field house at the university of Montana	15	not adopted	
Consenting to supplement the construction and renovation of health service building at university of Montana	16	not adopted	
Consenting to construction of swimming pool at university of Montana	17	not adopted	
Consenting to renovation of women's center at university of Montana	18	not adopted	
Consenting to renovation of armory gym at university of Montana	19	not adopted	
Consenting to the pre-planning of food service expansion at western Montana college	20	not adopted	
Consenting to renovation of Donaldson hall at northern Montana college	21	not adopted	
Calling attention to the need for preservation and protection of Indian rock paintings and pictographs	22	adopted	
Legislative council asked to study establishment of self-insurance fund for schools	23	adopted	

Resolutions, House Joint—(Continued)	H.B.	S.B.	EX.
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Concerning modernization of legislative assembly	26	not adopted	
Consenting to construction of fine arts center at university of Montana	27	not adopted	
Consenting to construction of sports complex at university of Montana	28	not adopted	
Legislative council asked to study feasibility of adopting no-fault motor vehicle insurance plan	29	adopted	
Endorsing sustained yield and multiple purpose act	30	adopted	
Legislative council asked to study boundaries and number of judges of districts	31	adopted	
Constitutional convention urged to provide authority to board of land commissioners to classify lands for multiple use	32	adopted	
Urging increased research toward finding a substitute for phosphates in detergents	33	adopted	
Urging increased efforts to improve aquatic environment of Fort Peck reservoir	34	adopted	
Consenting to pre-planning of physical education building at Montana college of mineral science	35	not adopted	
Consenting to pre-planning of physical health education building at college of mineral science	36	not adopted	
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Legislative council requested to study tenure in university system	39	adopted	
Consenting to construction and improvement of physical education, athletic and recreational facilities at Montana state university	40	adopted	
Urging all agencies cooperate in implementation of Montana rangeland resource program	41	adopted	
Constitutional convention asked to enumerate environmental rights in new constitution	42	not adopted	
Emphasizing to state department of planning and economic development the need for rational solutions of pollution problems	43	adopted	
Urging fair and equitable administration of selective service act	44	adopted	
Asking adjustment in conserving base acres for equity with competing states	45	adopted	
Constitutional convention asked to study consolidation of clerk of district court with other offices	46	adopted	
Legislative council asked to study single and dual member districts for legislature	47	not adopted	
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Congress, requested to call constitutional convention to provide inter-governmental sharing of federal income tax revenue	49	not adopted	
Legislative council asked to study feasibility of establishing standards for construction of schools	50	adopted	

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Consenting to the renovation of armory gym, northern Montana college	2	adopted	
Consenting to construction of petroleum and engineering building, college of mineral science and technology	3	adopted	
Consenting to construction of fine arts center, university of Montana	4	not adopted	
Consenting to supplement to renovation of health service building, university of Montana	5	adopted	
Consenting to construction of sports complex, Fort Missoula, university of Montana	6	adopted	
Consenting to construction of swimming pool, university of Montana	7	adopted	
Consenting to supplement construction of addition and renovation of fieldhouse, university of Montana	8	adopted	
Consenting to renovation of women's center, university of Montana	9	adopted	
Consenting to construction of fine arts center, university of Montana	10	not adopted	
Consenting to construction of environmental research center, college of mineral science	11	adopted	
Consenting to construction of physical education complex, college of mineral science	12	adopted	

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Passenger train service to state included in basic system of national rail passenger act of 1970	2	adopted
Acknowledging the Bryan-Landon celebration in Billings	3	adopted
Commending Senator Archie Cochrane for time magazine quality dealer award	4	adopted

Resolutions, Senate—(Continued)	H.B.	S.B.	EX.
Declaring Dave McNally an honorary member of 42nd session	5	not adopted	
Abandonment of rail lines in Montana—urging interstate commerce commission to consider hardship of the people of Montana	6	adopted	
Requesting legislative council study of community colleges	7	adopted	
Declaring John Mischa Petkevich an honorary member of the 42nd legislative assembly	8	adopted	
Requesting placement of David Thompsin's Saleesh house on national register of historic places	9	adopted	
Requesting appointment of study council to formulate a master plan for higher education	10	adopted	
Constitutional Convention requested to consider state lottery to finance schools	11	adopted	
Requesting legislative council study ground water laws	12	adopted	
Department of administration to provide adequate space for printing facilities	13	adopted	
Supporting construction of a large magnethydrodynamics MHD pilot plant	14	adopted	
Supporting sheltered workshops in Montana	15	adopted	
Holly sugar co. and state planning and economic development dept. asked to determine any common ground to enable reopening of sugar refinery	16	adopted	
Recognizing the faithful service of Inez Scow as a legislative attache	17	adopted	
Asking evaluation of disbursement of school equalization aid on semi-annual basis	18	adopted	
Dept. of administration to keep capitol open Saturdays and Sundays during summer months	19	adopted	
Urging congress to adopt a program of national health insurance	20	not adopted	
Legislative council asked to study qualifications and salary of county officers	21	adopted	
Madison-Jefferson-Silver Bow resource conservation and development group, retention asked	22	adopted	
Opposing proposed construction of air facility near Glacier national park	23	not adopted	
Supporting plans of U.S. Bureau of reclamation for dust abatement on Canyon Ferry dam	24	adopted	
Legislative council asked to study railroad and public service commission	25	adopted	
Asking appointment of two senators to a joint congressional liaison mined-land reclamation law committee	26	adopted	
Asking re-establishment of more efficient mail and rail services	27	adopted	
Song "Old Montana" recognized as worthy of taking its place in musical history of Montana	28	adopted	
Commending selection and use of Montana for film "Little Big Man"	29	adopted	
Requesting hearings prior to sale or exchange of federal lands in Montana	30	not adopted	
Chairman of legislative council to give priority to members of standing committees in appointments	31	adopted	
Thanking Walter H. Marshall for devoted service to legislative assembly	32	adopted	

Resolutions, Senate—(Continued)

	H.B.	S.B.	EX.
Asking corps of engineers and other state and federal agencies to consider needs of Rexford, Montana	33	adopted	
Recognizing the contributions of Dr. Sid Groff in the development and reclamation of the coal fields of Montana	34	adopted	
Asking congressional delegation to study desirability of state taxing federally owned property	35	adopted	
Legislative council asked to study unification of city-county governments in conjunction with study of home rule	36	adopted	
Asking for employment of legal talent to assist standing committees of 43rd legislative assembly	37	adopted	
Interstate commerce commission asked to hold hearing in Lewistown on abandonment of rail line between Roy and Roy junction	38	adopted	
Urging the president to ask release of appropriated moneys for ABM missile area	39	adopted	
Legislative council asked to study water resources board	40	not adopted	

Resolutions, Senate First Extraordinary

	EX1 S.R. No.	Status
Requesting public hearings prior to sale or exchange of national forest lands located in Montana	1	not adopted
Asking grant from the department of health, education and welfare for the establishment of a six state mountain-plains educational center at Glasgow air force base	2	adopted
Requesting legislative council to study administration and operation of highway department	3	adopted
Requesting congressional delegation oppose funds for development of supersonic transport	4	not adopted
Storage of senate furniture and supplies	5	adopted
Asking forest service construction of bridge at Cherry Creek in Lincoln county	6	adopted
Extra days employment for attaches	7	adopted

Resolutions, Senate Second Extraordinary

	EX2 S.R. No.	Status
Asking maintenance of water level of Flathead lake for maximum seasonal recreational and agricultural use	1	not adopted
Asking Montana congressional delegation to seek increased federal funds for work-study and other student assistance programs	2	adopted
Endorsing the concept of a comprehensive community mental health center in west-central Montana	3	not adopted
Urging the national aeronautics and space administration (NASA) to consider Montana for the site of the space shuttle program	4	adopted
Requesting requiring all railroads in Montana to install automatic block signals on tracks where two or more trains may be operated at one time	5	adopted
Urging the Montana constitutional convention consider a unicameral legislature	6	not adopted
Urging improvement of the aquatic conditions in Fort Peck area to promote northern pike fishing	7	adopted

Resolutions, Senate Second Extraordinary—(Continued)	H.B.	S.B.	EX.
Directing secretary of state to send verifax copies of each bill and resolution signed by the governor to the legislative council	8	adopted	
Recognizing the potential contribution of weather modification	9	adopted	
Expressing concern over Link brothers concession contract relating to Lewis & Clark caverns state park	10	not adopted	
Resolutions, Senate Joint	S.P.R. No.	Status	
Secretary of health and welfare asked to forestall requiring automatic sprinkler systems in certain hospitals	1	adopted	
Congress asked to implement recommendations of governor's task force on Indian problems	2	adopted	
Congress asked to implement recommendations of governor's task force on Indian problems in regard to Johnson-O'Malley act	3	adopted	
Urging early construction of re-regulating dam on Kootenai river	4	adopted	
Supporting establishment of scenic recreation river along the Missouri	5	adopted	
Calling attention to the plight of small, rural hospitals facing loss of certification under medicare	6	adopted	
Legislative council to study probate procedures	7	not adopted	
Supporting the legalization of bingo as entertainment for charitable purposes	8	adopted	
Legislative council to study university system—to avoid unnecessary duplications	9	adopted	
Congress asked to amend laws to allow smoke detection systems in nursing homes and hospitals under medicare	10	not adopted	
Urging enforcement of contractors license fees and vehicle license fees for nonresident sheep shearers	11	not adopted	
Montana congressional delegation requested to examine feasibility of updating regulations governing mining on public land	12	adopted	
Urging retainment of south-central Montana development federation	13	adopted	
Asking constitutional convention to include bill of rights in new constitution	14	not adopted	
Consenting to use of the facilities and property of the legislative assembly by the constitutional convention	15	adopted	
Requesting that action be taken immediately to preserve Beaverhead rock	16	adopted	
Urging termination of Vietnam war by July 1, 1971	17	not adopted	
Requesting board of education to disapprove standards of accreditation recommended by superintendent of public instruction	18	vetoed	
Requesting the interstate commerce commission to establish equitable freight rates throughout the various states of the U.S.	19	adopted	
Directing study of establishing district offices to improve the delivery of social services and urging cooperation with federal family assistance plan	20	not adopted	
Urging support of a voluntary army to replace draft	21	not adopted	

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Urging parts of Lincoln back country be enjoined with wilderness preservation system	23	adopted	
Legislative council asked to study state laboratories	24	adopted	
Criminal law commission requested to submit separate bill for each chapter of proposed criminal code revision submitted to 43rd legislative session	25	not adopted	
Requesting the placing of historical markers along the Missouri river from Ft. Benton to Fred Robinson bridge	26	adopted	
Approving in principle the proposed federal family assistance act	27	adopted	
Legislative council requested to form interim committee on weather modification	28	not adopted	
Urging proper and adequate access roads in triangle area where ABM missile sites are located	29	adopted	
Requesting board of education to study proprietary schools offering vocational-technical training	30	adopted	
Legislative council requested to study modernization of probate code of Montana	31	not adopted	
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2	Introduced by Harrison, Christiansen, Nichols: A bill for an act entitled: "An act relating to the organization and procedures of the Forty-second Legislative Assembly; prescribing the duties and compensation of legislative employees; and specifying an effective date."	4, 5, 6, 8, 9, 31, 34, 35, 36, 37, 56.
3	Introduced by Harrison, Hall, Himsl, Christiansen: A bill for an act entitled: "An act to reorganize the Executive Department of Montana state government in accordance with the constitutional amendment, Chapter I of the Extraordinary Session, Laws of Montana, 1969, adopted at the general election of November 3, 1970, and effective under the governor's proclamation, November 20, 1970, which provides that: 'All executive and administrative offices, boards, bureaus, commissions, agencies, and instrumentalities of the Executive Department of state government and their respective functions, powers, and duties, except for the Office of Governor, Lieutenant Governor, Secretary of the State, Attorney General, State Treasurer, State Auditor, and Superintendent of Public Instruction, shall be allocated by law among and within not more than twenty (20) departments by no later than July 1, 1973.'; and repealing Sections 27-427, 59-901, and 59-902, R.C.M. 1947."	4.
4	Introduced by Kvaalen, McGrath, Christiansen: A bill for an act entitled: "An act amending Section 80-1601, R.C.M., 1947 providing for institutions subject to per diem charge by adding foster	

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5	Introduced by Asbjornson, Parrish, Robbins, Dye, Lee, Hemstad: A bill for an act entitled: "An act to be known as the 'Territorial Integrity Act of 1971' and to prescribe certain rights and enforcement thereof with respect to the furnishing of electric service; amending Section 14-502, R.C.M., 1947, relating to the purposes for which cooperatives may be organized; and Section 14-530, R.C.M., 1947, relating to definitions and providing an effective date."	5, 70, 81, 85, 90, 112, 227, 239, 311.
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7	Introduced by Scott, Mather, Yardley: A bill for an act entitled: "An act to approve and legalize and adopt as prima facie the Laws of Montana the second of replacement of Part I of Volume Number 4 and replacement Volume Number 8 of the Revised Codes of Montana, 1947, as published by the publishers and distributors of said codes."	5, 22, 29, 31, 39, 50, 58, 68, 77, 630, 684, SA-730, 834, 855, 857, 995.
8	Introduced by Watt, Haines, Norman, Ainsworth: A bill for an act entitled: "An act providing for the licensing and regulation of persons in Montana representing themselves as psychologists, and creating a State Board of Psychologist Examiners, prescribing its powers and duties, and providing penalties for violations."	6, 22, 36, 37, 132, 183, 197, 198, 213, 651, 685, 741, 866.
9	Introduced by Mather, Worden, Haines, Lee, Lombardi, Hall: A bill for an act entitled: "An act amending Sections 47-202, 47-204, 47-205, 47-211, 47-214, 47-215, and 47-216, R.C.M., 1947, being sections of the Montana Consumer Loan Act providing for a supplementary license permitting additional lending authority involving loans in excess of \$1,000 but not exceeding \$5,000, fixing	

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	the charges for and other provisions concerning such loans in excess of \$1,000 and relating to insurance which may be provided and increasing examination charges of the commissioner."	7, 105, 117, 155, 174, 189, 651, 687, SA-730, 823, 824, 825, 857.
10	Introduced by Bardanouve: A bill for an act entitled: "An act amending Section 69-6402, R.C.M., 1947, relating to the State Board of Eugenics by providing for the payment of per diem and expenses for the members of the board."	7, 446, 518, 525, 530, 533, 536, 557, 651, 677, 678, 741, 866.
11	Introduced by Mather, Cox, Parrish, Robbins, Asbjornson, Ainsworth, Worden: A bill for an act entitled: "An act amending Section 93-1205, R.C.M., 1947, providing for the number of trial jurors."	7, 45, 51, 58, 68, 78, 683, 799, 821, SA-834, 889, 891, 913.
12	Introduced by Mather, Hall Parrish, Harrison: A bill for an act entitled: "An act to simplify the general certification of acknowledgement provided for in Title 39, Chapter 1, R.C.M., 1947."	7, 22, 29, 31, 34, 36, 42, 672.
13	Introduced by Bardanouve, Haines: A bill for an act entitled: "An act to amend Sections 41-801, 41-804, 41-808 and 41-810, R.C.M., 1947, relating to vocational rehabilitation and education."	7, 16, 22, 29, 31, 34, 39, 40, 751, 783, 786, 787, 818, 924.
14	Introduced by Robbins, Fagg, Cox, Hall, Lockrem: A bill for an act entitled: "An act amending Section 11-709, R.C.M., 1947, providing four year terms for mayors and aldermen and providing staggered terms for aldermen."	7, 55, 61, 68, 200, 208, 219, 247, 258, 263, 282, 283, 298, 611, 653, SA-703, 783, 787, 818, 924.
15	Introduced by Robbins, Fagg, Cox, Hall, Lockrem: A bill for an act entitled: "An act relating to the maximum rate of interest on bonds issued and special assessments levied by political subdivisions and providing an effective date."	7, 30, 36, 39, 50, 222, 239, 258, 352, 470, 530, 533, 536, 557, 563, 793, 826, SA-835, 897, 956, 968, 989, Ex. 1-7.

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16	Introduced by Robbins, Fagg, Cox, Hall: A bill for an act entitled: "An act to amend Section 70-103, R.C.M., 1947, relating to the definition of a public utility, and excluding cities and towns from the jurisdiction of the Public Service Commission of Montana."	7, 71.
17	Introduced by Keller: A bill for an act entitled: "An act to amend Section 66-1307, R.C.M., 1947, to increase the annual registration fee for optometrists."	7, 45, 51, 59, 68, 78, 651, 685, 741, 866.
18	Introduced by Haines, Worden, Ulmer, Bardanouve: A bill for an act entitled: "An act to amend Section 69-4110, R.C.M., 1947."	7, 64, 69, 219, 220, 244, 652.
19	Introduced by Keller, Knudsen, Hall Wolf, Worden, Ainsworth, Campbell, Cox: A bill for an act entitled: "An act to amend Section 10-622, Revised Codes of Montana, 1947, relating to the appointment, removal and salaries of probation officers for the juvenile departments of district courts in the State of Montana; providing for salary increases and repealing all acts and parts of acts in conflict herewith."	8, 45, 51, 59, 68, 78, 630, 684, 688, 706, 765, 913, 925, 956, 968, 989.
20	Introduced by Haines, Lundgren, McGrath: A bill for an act entitled: "An act to amend Section 64-213, R.C.M., 1947, providing for merchants to detain shoplifters."	8, 52.
21	Introduced by Worden, Lockwood, Patrick: A bill for an act entitled: "An act to permit banks to suspend business during an emergency and on any day or days proclaimed as a day or days of mourning, rejoicing, or other special observance." No roll call shown in original and printed House Journal. Original house bills show roll call January 30, 1971.	16, 53, 61, 68, 221, 239, 248, 250, 600, 606, 622, 629.
22	Introduced by Yardley, Warfield: A bill for an act entitled: "An act making it unlawful to use junked motor vehicles for flood control of a navigable stream or for reinforcement of the banks of a navigable stream."	16, 36, 44, 59, 68, 79, 820, 827, SA-835, 889, 891, 913.

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23	Introduced by Himsl, Burnett, Patrick, Fasbender, Christiansen, Worden, Bardanouve, Lundgren: A bill for an act entitled: "An act subjecting state and national banks to the Montana Corporation License Tax; and repealing Section 84-1501.4, R.C.M., 1947."	16, 63, 131, 135, 174, 197, 198, 214, 511, 536, 563, 589, 599.
24	Introduced by Whitney, Aber, Wolf, Lockrem, Laas, Lien: A bill for an act entitled: "An act to amend Section 82-1914, R.C.M., 1947, by adding a new paragraph providing that the proceeds from the sale of used and surplus material, supplies, equipment and other personal property of the State Highway Commission be placed in earmarked revenue fund to the credit of the Highway Commission."	16, 21, 29, 34, 36, 40, 243, 262, SA-278, 292, 326.
25	Introduced by Whitney, Healy: A bill for an act entitled: "An act to amend Section 32-1021 for flagmen escorts—prohibitions against nighttime herding on public highways and affixing a penalty." ..	17, 45, 52, 68.
26	Introduced by Aber, Dye, Swanberg: A bill for an act entitled: "An act to amend Section 32-21-149, R.C.M., 1947, relating to restrictions placed on tire equipment; permitting the use of specially designed pneumatic tires when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid and fixing penalty."	17, 21, 36, 39, 52, 79, 751, 783, 786, 787, 818, 924.
27	Introduced by Swanberg, Healy, Wolf: A bill for an act entitled: "An act to amend Section 32-3902 for general power of commission to acquire interests in property."	17, 22, 29, 31, 34, 39, 41, 567.
28	Introduced by Fasbender, Harrison, Dye, Christiansen: A bill for an act entitled: "An act to amend Section 43-310, R.C.M., 1947, providing per diem and expenses of members of the Legislative Assembly."	17, 23, 28, 31, 34, 36, 41, 50, 71, 86, SA-99, 101, 177.
29	Introduced by Himsl, McGrath, Pierce, Yardley, Keller, Mather: A bill for an act entitled: "An act to	

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	amend Section 84-1502, R.C.M., 1947, providing deductions in computing income of corporations."	17, 63, 69, 86, 90, 113, 600, 606, 622, 632, 670, 683, 684, 705, 750, 753, 787, 788, 810, 827, SA-835, 889, 890, 891, 913, Ex. 1-7.
30	Introduced by Himsl, McGrath, Pierce, Yardley, Keller, Mather: A bill for an act entitled: "An act amending Section 84-4905 of the Revised Codes of Montana, 1947, exempting from state income tax the interest received on obligations of the State of Montana or of any political sub-division thereof, and providing an effective date."	17, 23, 63, 69, 86, 90, 113, 600, 606, 622, 632, 670, 683, 684, 706, 750, 753, 787, 788, 810, 827, SA-836, 889, 890, 891, 913, Ex. 1-7.
31	Introduced by Lucas, Hall, Greely: A bill for an act entitled: "An act creating in the office of the Attorney General a law enforcement standards council; providing for the adoption of regulations to provide minimum standards for employment as a law enforcement officer, for equipment and procedures; requiring basic training for law enforcement officers appointed after July 1, 1971; and providing for the adoption of regulations with respect to the approval of law enforcement training schools."	18, 466, 506, 525, 536, 537, 792, 858, 859, 889, Ex. 1-7.
32	Introduced by Scott, Greely, Hall, Parrish, Towe, Yardley, McKittrick, Swanberg, Bennett, Swan: A bill for an act entitled: "An act amending Section 48-118.1, R.C.M., 1947, providing for delegation of authority from district court judges to clerk of court for determining and entering order on marriage application."	19, 136, 174, 182, 183, 202, 631, 641, 650, 655, 680.
33	Introduced by Scott, Darrow, Bradley, Parrish, Brown, McKittrick: A bill for an act entitled: "The Montana Environmental Protection Act."	19, 413, 423.
34	Introduced by Marks, Dye, Laas, Giesick, McGrath: A bill for an act entitled: "An act providing for the transfer of authority of state owned motor vehicles to the highway commission; providing for the establishment of a state motor pool for maintenance and storage; providing for regulation and use of vehicles; providing for lettering	

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	and identification; providing for records; providing for exceptions; establishing a penalty and repealing Sections 53-501; 53-503; 53-504; 53-505; 53-506; 53-507; 53-508; and 53-510, R.C.M., 1947, and Sections 53-511; 53-512 and 53-513, R.C.M., 1947, enacted as Chapter 181, Laws of 1969."	19, 70, 81, 82, 120, 132, 156, 174, 189, 722, 793, 827, 872, 879, 906, 975, 989, 994.
35	Introduced by Harrison: A bill for an act entitled: "An act amending Section 95-1909, R.C.M., 1947, providing for only three (3) peremptory challenges on appeals from justice and police courts."	19, 52, 61, 68, 69, 86, 611.
36	Introduced by Harrison: A bill for an act entitled: "An act amending Section 4-414, R.C.M., 1947, to clarify and improve existing language providing for closing hours for licensed liquor establishments."	19, 63.
37	Introduced by Harrison: A bill for an act entitled: "An act to provide that actual notice of a petition for letters of administration must be given to persons having a prior right of administration; amending Section 91-1503, R.C.M., 1947."	19, 53.
38	Introduced by Harrison: A bill for an act entitled: An act amending Section 10-605.1, R.C.M., 1947, providing to include information as to parents in a preliminary inquiry petition concerning a child's delinquency."	19, 53, 61, 75, 81, 96, 766, 783, 786, 787, 818, 924.
39	Introduced by Aspevig: A bill for an act entitled: An act amending Section 84-4920, R.C.M., 1947, to provide that upon notice deficiencies in income tax may be collected after the expiration of the five year period provided in said section, and to provide language to clarify the provisions of said section."	19, 64, 69, 76.
40	Introduced by Bardanoue: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1973; providing for other matters relating to the appropriations; and repealing Chapter 238, Laws of 1969, and Sections 1, 4, 5, 6, 7, 8, and 9, Chapter 375, Laws of 1969."	19, 956, 988, 989.
41	Introduced by Bardanoue: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations."	19, 20.

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42	Introduced by Giesick, Yardley: A bill for an act entitled: "An act to amend Section 40-2821, R.C.M., 1947, to provide that the temporary tax on net insurance premiums of two and three-quarters percent (2¾%) be made permanent."	20, 45, 51, 68, 69, 86, 652, 758, SA-776, 834, 855, 857, Ex. 1-7.
43	Introduced by Kosena: A bill for an act entitled: "An act to amend Sections 69-5401, 59-5402, 69-5403, 69-5404, 69-5405, 69-5407, and 69-5408, R.C.M., 1947, relating to licensing and control of the business of cleaning cesspools, septic tanks, and privies."	20, 103, 117, 155, 183, 190, 651, 685, 741, 866.
44	Introduced by Giesick, Forester: A bill for an act entitled: "An act authorizing cities and counties to impose passenger service charges for the use of public airports by passenger air carriers and providing for reporting, collection, disposition and use thereof."	20, 63.
45	Introduced by Giesick, Forester: A bill for an act entitled: "An act to amend Section 84-4701.2 R.C.M., 1947, to raise the all-purpose exclusive levy to sixty-five (65) mills."	20, 354, 364, 390, 395, 426, 859.
46	Introduced by Warfield, Yardley: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, relating to classification of property for taxation."	20.
47	Introduced by Himsl, Worden, Marbut, Brown, Zimmer: A bill for an act entitled: "An act to provide that all taxable lands, all taxable city and town lots, and all taxable rural and urban improvements be classified or appraised at least once every five years, and that the factors determining timber and timber-land valuation be reviewed at least once every five years; and amending Sections 84-429.7, 84-429.9, 84-429.11, and 84-429.12, R.C.M., 1947."	20, 92.
48	Introduced by Himsl, Worden, Marbut, Brown, Zimmer: A bill for an act entitled: "An act amending Section 84-429.8, R.C.M., 1947, to provide an increase in the tax levy for the county 'classification and appraisal fund,' for the purpose of maintaining and keeping current county classifications and appraisals."	20, 92.
49	Introduced by Himsl, Worden, Marbut, Zimmer: A bill for an act entitled: "An act imposing a real estate transfer tax."	20, 92, 102, 115, 116, 130.

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50	Introduced by Harper, Kosena, Lee, Lombardi, Quilici, Clemow: A bill for an act entitled: "An act providing for additional punishment for persons convicted of a felony the perpetration of which involved the use of a firearm."	20, 46.
51	Introduced by Snortland, Robbins, Norman, Olson: A bill for an act entitled: "An act to provide for licensing clinical laboratory personnel."	23, 118.
52	Introduced by Bardanouve, Marbut, Harrison, Christiansen, Hall, Haines, Fasbender: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article IX of the Constitution of Montana changing the legal voting age to eighteen (18) years of age and to remove obsolete language."	23, 105, 117, 130, 131, 178, 751, 783, 786, 787, 818, 923.
53	Introduced by Cox, Glennen, Forester, Campbell, Kendall, Bradley: A bill for an act entitled: "Population Centers—City Road Fund—County Road Fund. Amending Section 32-3702-3703 and repealing Section 32-3704, R.C.M., 1947."	23, 396, 441, 515.
54	Introduced by Mather, Devine, Scott: A bill for an act entitled: "An act amending Section 66-411, relating to the practice of barbering, increasing the fees charged for an annual license fee, and increasing the initial inspection fee of barber shops."	23, 37, 92, 102, 115, 117, 153, 681, 761, 763, 764, 788, 878.
55	Introduced by Mather, Greely, McNamer: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and providing that this act may be cited as 'The 1971 Bond Validating Act'; containing a repealing clause and providing an effective date."	23, 46, 55, 59, 68, 79, 766, 834, 855, 857, 995.
56	Introduced by Cox, Glennen, Harper, Kendall, Robbins, Forester, Campbell: A bill for an act entitled: "An act establishing [the limitations on] the amount of taxes to be assessed for general municipal or administrative purposes, providing [a levy] for parks, swimming pools, skating rinks, play grounds, youth centers and other purposes; [providing for a levy for recreational uses;] amending	

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	Section 84-4701, R.C.M., 1947." (Material in brackets denotes cancelled type.)	24, 54, 55, 354.
57	Introduced by East, Lombardi, Lee, Clemow: A bill for an act entitled: "An act to amend Section 87-111, R.C.M., 1947, which section is a part of the Unemployment Compensation Law, by including as a part of the Unemployment Compensation account, payments made in lieu of contributions by non-profit organizations and the state and its political subdivisions in conformity with Public Law 91-373, Employment Security Amendments of 1970."	24, 250, 264, 287, 293, 315, 671, 707, 709, 763, 878.
58	Introduced by East, Lee, Lombardi, Glennen: A bill for an act entitled: "An act to amend Section 87-135, R.C.M., 1947, which section is a part of the Unemployment Compensation Law, by providing penalties for filing delinquent contribution reports; amending the penalty and interest provisions on past-due contributions; deleting language no longer applicable."	24, 52, 61, 68, 69, 87, 670.
59	Introduced by Wolf: A bill for an act entitled: "An act to amend Section 32-2146, R.C.M., 1947, to provide authority for the Highway Commission to establish speed zones on state and federal-aid highways in municipal and urban areas."	24, 81, 90, 100, 115, 117, 153, 681, 707, 708, 709, 763, 878.
60	Introduced by Wolf: A bill for an act entitled: "An act to amend Section 87-105 of the Unemployment Compensation Law, R.C.M., 1947, by amending the benefit eligibility conditions to require requalifying work as a condition of qualification for benefits in a second benefit year; and conditions for payment of benefits based on service with nonprofit organizations and state hospitals and institutions of higher education in conformity with Public Law 91-373, Employment Security Amendments of 1970."	24, 70, 81, 86, 90, 113, 672, 737, SA-778, 858, 859, 889.
61	Introduced by Selstad: A bill for an act entitled: "An act to amend Section 32-1126, R.C.M., 1947, authorizing peace officers, highway patrolmen and certain state employees to weigh vehicles and loads for statutory weight compliance and au-	

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	thorizing maintenance of weigh stations on intermittent or continuous schedules."	24, 81, 90, 100, 101, 108, 185, 199, 200, 208, 229, 683, 779, 821, 825, 882, 906, 922, 967, 969.
62	Introduced by Selstad: A bill for an act entitled: "An act to amend Section 93-9913, Revised Codes of Montana, 1947, providing for the payment of interest in eminent domain proceedings, establishing dates for computation."	24, 106, 117, 156, 174, 190, 672.
63	Introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to provide that the state welfare lien for assistance granted to persons on old age assistance and aid to disabled shall not be removed or in any way ineffective upon a tax assignment or tax sale or tax deed to the same real property where said tax sale assignment or deed is directly or indirectly to or through blood relatives of the recipient; amending Section 71-247."	24, 65, 69, 86.
64	Introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to amend Section 71-1524 for the purpose of clarifying the wording and meaning of said statute in relation to an exclusion of lien for medical assistance paid and providing for recoveries from certain estates."	25, 65, 69, 76, 81, 96, 672.
65	Introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to remove the residence requirement for persons applying for aid to the needy blind; amending Section 71-604."	25, 53, 61, 68, 69, 87, 819, 827, SA-836, 915, 941, 943, 974.
66	Introduced by Darrow, Lucas, Lundgren, Mather, Christiansen, Fasbender, Cox, Harrison, Schoonover, Fagg, Nichols, Ainsworth, Jackson, Johnston, Bradley, Scott, Ulmer, Hemstad, C. Smith, Keller: A bill for an act entitled: "An act to establish a state policy for the environment and to establish an Environmental Quality Council and setting forth its powers and duties."	25, 136, 183, 197, 198, 214, 683, 779, 821, SA-836, 889, 891, 895, 910, Ex. 1-7.
67	Introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to remove the residence requirement for persons applying for aid to dependent children; amending Section 71-504."	25, 31, 64, 67, 86, 90, 114, 671, 707, 709, 763, 878.

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68	Introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to remove the residence requirement for persons applying for old age assistance; amending Section 71-402."	25, 31, 53, 61, 68, 69, 87, 821, 876, 877, 889.
69	Introduced by Keller, Zody, Brown: A bill for an act entitled: "An act to remove the residence requirement for persons applying for aid to disabled; amending Section 71-1202."	25, 31, 53, 61, 68, 69, 88, 819, 827, SA-837, 889, 890, 891, 913.
70	Introduced by Selstad: A bill for an act entitled: "An act creating limited access highways, establishing policy, powers of highway authorities, standards and designs, closures of roads and streets, defining abutters rights, providing for acquisition of property, providing for public hearings and procedures, providing for adoption of plans and publication, approval by city, town and counties, adopting of plans establishing a board of review and providing for procedure, findings and appeals, establishing enforcement of laws, repealing all acts or parts of acts in conflict herewith."	25, 106, 117, 130, 131, 442, 506, 522, 536, 537, 751.
71	Introduced by Burnett, Johnston: A bill for an act entitled: "An act amending the Store License Laws by deleting the provision that all stores may be listed on one application blank, by providing that all store licenses shall lapse December 31 of each calendar year, and by excluding vending machines from the act; and amending Sections 84-2402, 84-2404, and 84-2410, R.C.M., 1947."	25, 53, 61, 68, 69, 88, 671, 783, 787, 818, 923.
72	Introduced by Patrick, Dye, Lockwood, Lanthorn, Bradley: A bill for an act entitled: "An act providing for the salaries of commissioners and mayor under the commission-manager plan of city government and amending Section 11-3248, R.C.M., 1947."	25, 119, 132, 156, 174, 190, 600, 606, 622, 629.
73	Introduced by Cox, Glennen, Robbins, Forester, Campbell, Kendall, Aber, Bradley: A bill for an act entitled: "An act providing for an all-purpose annual mill levy for cities and towns: 84-4701, R.C.M., 1947."	25, 54, 354.
74	Introduced by Cox, Glennen, Campbell, Eggebrecht, Kendall, Forester: A bill for an act entitled: "An	

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	act to provide for the method of extending boundaries of cities or towns of the first, second, or third class; and amending Section 11-403, R.C.M., 1947."	26, 225.
75	Introduced by Cox, Glennen, Robbins, Forester, Aber, Campbell, Kendall, Giesick: A bill for an act entitled: "An act establishing the amount of taxes to be assessed for road, street, or alley purposes amending Section 32-3601, R.C.M., 1947."	26, 54, 354.
76	Introduced by McKittrick, Fasbender, Lombardi, Darrow, Lee, Greely, Menahan, Towe, Keller, Bennett, Harrison: A bill for an act entitled: "An act concerning the limitation of hours of labor for female employees to eight (8) hours; amending Section 41-1120 and repealing Section 41-1118, R.C.M., 1947."	26, 70, 81, 86, 90, 114, 631, 641, 650, 655, 680.
77	Introduced by Dye: A bill for an act entitled: "An act to delete erroneous Revised Codes of Montana reference citations in the special fuel tax laws and insertion therein of correct citations; amending Sections 84-1832 and 84-1833, R.C.M., 1947."	26, 53, 61, 68, 69, 88, 276, 284, 286, 326.
78	Introduced by Dye: A bill for an act entitled: "An act deleting that provision regarding refunds on aviation gasoline tax allocated to the State Aeronautics Commission by Section 1-501, R.C.M., 1947, from the definition section of the Gasoline License Tax laws and inserting same into its proper position in the refund procedure section of said Gasoline License Tax laws; amending Sections 84-1846 and 84-1855, R.C.M., 1947."	26, 53, 61, 68, 69, 89, 276, 284, 286, 326.
79	Introduced by Robbins, Fagg, Cox, Nichols, Bradley, Parrish, Hall: A bill for an act entitled: "An act providing for building restrictions and zoning and subdivision regulations by cities, towns and counties; providing for boards of adjustment and the duties thereof; providing for city, county, city-county, and regional planning boards; providing definitions; providing qualifications for members of boards; providing for a comprehensive plan and a jurisdictional area; providing for plats of subdivisions; providing for planning and zoning districts; amending Sections 11-2702, 11-2703, 11-2707, 11-3801, 11-3803, 11-3810, 11-3811, 11-3812, 11-3815, 11-3825, 11-3830, 11-3831, 11-3842, 11-3843, 11-3844, 11-3846, 11-3847, 11-3848, 11-3851, R.C.M., 1947, and adding new Sections 11-3830.2, 11-3831.1, 11-3831.2, and 11-3859, and amending	

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	Sections 16-4101, 16-4702, 16-4703, 16-4704, 16-4705, 16-4706, 16-4708, and 16-4711, R.C.M., 1947."	26, 136, 174, 197, 198, 214, 820, 827, SA-837, 889, 891, 913, Ex. 1-12.
80	Introduced by Giesick, Parrish, Snortland: A bill for an act entitled: "An act to provide that any person who operates a motor vehicle in this state shall be deemed to have given consent to a chemical test or tests of blood, breath, saliva or urine for the purpose of determining the alcoholic content of his blood; specifying those persons who are qualified to withdraw blood for the purpose of determining the alcoholic content when requested by a law enforcement officer; providing that the person tested may have a qualified person administer a chemical test in addition to the one administered by the direction of the law enforcement officer; providing that the test results shall be made available to the person so tested upon his request; providing that the consent of a person incapacitated of refusing is not withdrawn; authorizing the Montana Highway Patrol Board to revoke the license of persons refusing to submit to a chemical test; providing that law enforcement officers must furnish board with affidavit of refusal; providing the person whose privilege to drive has been revoked with a hearing before the district court; providing interpretation of chemical tests; providing that proof of refusal shall be admissible in any criminal action; providing that this action shall not limit the introduction of other competent evidence; providing for short title; providing for constitutionality; repealing all acts or parts of acts in conflict herewith and providing for a notice statement to be contained in drivers' licenses and permits hereafter issued."	26.
81	Introduced by Christiansen, Swanberg, Patrick, Dye: A bill for an act entitled: "An act to authorize the creation of funds to promote, establish and maintain recreational and other activities of the elderly, and providing for a special levy."	27, 186, 199, 200, 208, 229, 859, 915, 941, 943, 974.
82	Introduced by Zody, Olson, McGrath, Norman: A bill for an act entitled: "An act amending Sections 69-4509 and 69-4510, R.C.M., 1947, by revising the qualifications of a local health officer."	27, 103, 117, 155, 174, 191, 751, 783, 786, 787, 818, 924.
83	Introduced by Harrison: A bill for an act entitled: "An act relating to persons engaged in the business of servicing, repairing, maintaining, installing or modifying television and/or radio receiving equipment, including antenna receiving systems,	

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	providing for the investigation, licensing and regulation of such persons."	27, 108, 253.
84	Introduced by Himsl, Lundgren, Mather, Patrick, Keller: A bill for an act entitled: "An act to amend Section 84-4905, R.C.M., 1947, to provide for a uniform treatment of retirement income by exempting all retirement pensions or annuities not in excess of \$3,600."	27, 120, 132, 156, 183, 203, 859.
85	Introduced by Ainsworth, Darrow, Bradley, Schoonover, Swan, Bardanouve, Marbut, Norman, Keller, Bennett, Watt, Christiansen, Ulmer, Baeth, Lucas, Olson, Haines, Campbell, Worden, Lundgren, Kendall, T. L. Murphy, Fitzgarraird, Towe, Brown, Parrish, Johnston, C. Smith, Nichols, Scott, Forester, Prevost, Eggebrecht, Sverdsten, Lanthorn, Lockwood, Zimmer, Anderson: A bill for an act entitled: "An act to revise the Water Pollution Control Act by placing administration of the act with the Department of Health under policy guidance from the Board of Health; redefining the meaning of pollution; broadening the activities under which a permit must be gained under Section 69-4806, R.C.M., 1947; defining the duties of the Board of Health and Department of Health; including as a member of the State Water Pollution Advisory Council, the Commissioner of Agriculture and a representative of an organization concerned with fishing for sport; changing the name of the State Water Pollution Control Council to the State Water Pollution Advisory Council and redefining its function; providing for a director of water pollution control; enacting a new hearing and appeals procedure; adopting a new emergencies procedure; amending Sections 69-4801, 69-4802, 69-4804, 69-4805, 69-4806, 69-4810, 69-4811, 69-4812, 69-4813, and 69-4814, R.C.M., 1947, and repealing Sections 69-4803, 69-4807, 69-4808, 69-4809, 69-4815, 69-4816, 69-4817, 69-4818, and 69-4819, R.C.M., 1947."	27, 102, 156, 183, 203, 357, 371, 372, 519.
86	Introduced by East, McKittrick, Hodges: A bill for an act entitled: "An act to amend Section 87-129, which section is a part of the Unemployment Compensation Law, by redefining the responsibilities of the commission in participating in the arrangements approved by the Secretary of Labor for combining wages in employment in two or more states in conformity with Public Law 91-373, Employment Security Amendment of 1970."	27, 52, 61, 68, 69, 89, 671, 707, 709, 763, 878.
87	Introduced by Harrison, Lucas: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M.,	

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	1947, by providing for one group insurance program administered by the Board of Examiners.”	28, 307.
88	Introduced by Bardanouve: A bill for an act entitled: “An act amending Section 53-106, R.C.M., 1947, relating to motor vehicle license plates by providing that the additional fee of fifty (50) cents per year shall be charged only for years in which reflectorized license plates are issued.”	31, 62.
89	Introduced by Swan, Jackson, Burnett, Anderson, Aber: A bill for an act entitled: “An act to amend Sections 84-4903.2 and 84-4942, R.C.M., 1947, relating to the deducting and withholding from payments of wages.”	31.
90	Introduced by Scott, Selstad, Lockrem, Mather: A bill for an act entitled: “An act to amend Section 25-227, and 25-229, R.C.M., 1947, providing fees and expenses for board of prisoners.”	31, 238.
91	Introduced by Wolf, by request: A bill for an act entitled: “An act to amend Section 31-134, R.C.M., 1947, providing for written and visual testing upon renewal of driver licenses; and providing an effective date.”	31, 61.
92	Introduced by Wolf, by request: A bill for an act entitled: “An act to amend Section 31-135, R.C.M., 1947, creating a new Section 31-135.1 and amending Section 31-138, R.C.M., 1947, increasing the life of a driver's license from two (2) to four (4) years; changing the fees for driver licenses and duplicate licenses, creating a fee for motorcycle endorsement; and providing an effective date.”	31, 61.
93	Introduced by Wolf, Laas: A bill for an act entitled: “An act to amend Section 53-420, R.C.M., 1947, increasing the fee requirement of operating record from one dollar (\$1.00) to two dollars and fifty cents (\$2.50).”	32, 61, 69, 76, 81, 96, 752, 781, 822, 825, 868, 903, 905, 951, 986, 987, 994, 995, 996.
94	Introduced by Wolf, by request: A bill for an act entitled: “An act to amend Sections 31-120, 31-125, 31-126, 31-127, 31-128, 31-129, 31-130, 31-131, 31-134, 31-135, 31-136, 31-137, 31-138, 31-140, 31-142, 31-143, 31-144, 31-145, 31-146, 31-147, 31-148, 31-151, 31-153, 31-157, 31-158, 31-161, and 75-3308, R.C.M., 1947, providing for classification of driver's licenses, deleting necessary references to operator's and chauffeurs, deleting Section B of 31-134 referring to a defunct grandfather's clause requiring non-resident licensed drivers to comply with restrictions imposed in his home state or country, providing that licenses to	

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	be classified under this act not be classified until such license is renewed, and providing an effective date."	32, 61.
95	Introduced by Bardanoue: A bill for an act entitled: "An act appropriating sixteen thousand six hundred fifty dollars (\$16,650) for State of Montana dues to the council of state governments for the 1971-73 biennium."	32, 210, 220, 237, 239, 259, 485, 518, 527, 563, 599.
96	Introduced by Ulmer, Robbins, Parrish, Asbjornson: A bill for an act entitled: "An act providing for special or rural improvement district type bonding for flood control and water conservation projects; amending Section 89-3312, R.C.M., 1947."	32, 45, 96, 59, 68, 80, 766, 834, 855, 857, Ex. 1-7.
97	Introduced by Falkenstern, Whitney, Aspevig, Prevost, Eggebrecht, Worden: A bill for an act entitled: "An act to amend Section 77-1002, R.C.M., 1947, to provide for hiring veterans of the Korean war and the Vietnam conflict."	32, 201, 208, 219, 220, 245, 671, 707, 709, 763, 878.
98	Introduced by Keller, Brown, Selstad, Bradley, Cox, Haines, Aber, Lundgren Burnett, Dye, Lockwood, Bennett: A bill for an act entitled: "An act to change age requirements and to bar discrimination in ages due to sex; amending Sections 4-161, 4-330, 4-337, 4-413, 4-439, 4-502, 4-504, 4-506, 11-951, 11-1602, 41-1135, 41-1136, 48-143, 59-301, 61-203, 64-101, 75-8702, 81-407, 81-908, 93-1301, 93-1002, 94-35-106, 94-35-106.2, R.C.M., 1947."	28, 82, 90, 100, 101, 129, 511, 522, 591, 601, 605, 631, 902, 905, 980, 989, Ex. 1-7.
99	Introduced by Haines: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M., 1947, by deleting the words 'or plans' and providing for one group insurance program administered by the Board of Examiners."	32, 304, 925.
100	Introduced by Lundgren, McNamer, Lanthorn: A bill for an act entitled: "An act to amend Section 94-3527, R.C.M., 1947, providing exceptions for carrying concealed weapons."	32, 82, 90, 100, 101, 129, 631, 654, 655, 679, 721.
101	Introduced by Yardley, Worden: A bill for an act entitled: "An act to require insurers transacting malpractice insurance to include in their annual	

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	statement to the insurance commissioner certain statistics and information."	32, 108, 176, 183, 199, 208, 229, 610.
102	Introduced by Haines, Campbell, Ainsworth, Worden, Marbut, Watt, Norman: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, providing an increase in maximum retirement benefits allowable for classification of property."	32.
103	Introduced by Ulmer, Swanberg, Greely: A bill for an act entitled: "An act to prohibit insurers from cancelling a professional liability insurance policy or increasing the premium rates thereon without first providing the insured sixty (60) days notice in writing prior to such cancellation or increase in premium rate."	32, 82, 90, 100, 101, 130, 276, 284, 286, 326.
104	Introduced by Ulmer, Giesick, Harper, Kolstad, Wolf, Glennen, Harrison, Lombardi, Swanberg, Bennett, Greely, Cox, Devine, Lee, Campbell, Patrick, Quilici, Healy, Clemow, Staigmler, Zody, Fasbender, Fagg, Lucas, McKittrick, Worden, Eggebrecht, Towe, T. Murphy, Nichols, Pierce, Lanthorn, Watt, Brand, Swan, Prevost, Schoonover, Yardley, Fleming, Weeding, Keller: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M., 1947, relating to group hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of public employees and their dependents by increasing the employer contribution thereto."	33, 139, 338, 509, 518, 530, 536, 560, 752, 781, 822, SA-837, 889, 891, 913.
105	Introduced by Harrison, Scott, Giesick, Greely, Math-er, Patrick, Cox, Swanberg, Lundgren, Healy, Hall, Christiansen, Fasbender, Bennett, Perry, Yardley, Harper, Haines, Glennen, Zody, Fagg, Lucas, McKittrick, Warfield, Worden, Eggebrecht, Towe, T. Murphy, Nichols, Pierce, Lanthorn, Watt, Brand, Swan, Prevost, Staigmler, Fleming, Weeding, Keller: A bill for an act entitled: "An act adding new Section 59-1008, R.C.M., 1947, to provide uniform sick leave benefits for public employees."	33, 255, 264, 287, 293, 315, 681, 707, 708, 709, 763, 878.
106	Introduced by Scott, Christiansen, Dye, Harrison, Pierce, Lucas, Ulmer, McGrath: A bill for an act entitled: "An act amending Section 4-403, R.C.M., 1947, to provide for the issuance of resort liquor licenses by the Montana Liquor Control Board." ..	33, 108, 226, 239, 262, 264, 289, 682, 779, 821, 825, 826, 867, 901, 902, 907, 956, 989.

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107	Introduced by Mather, Hemstad, Bardanouve, Kosen: A bill for an act entitled: "An act to provide for the filing of declarations of estimated income tax if income not subject to withholding is \$1,000 or more and estimated tax can reasonably be expected to exceed \$50, and to provide a penalty for underpayment of estimated tax; and to amend Section 84-4939, R.C.M., 1947."	33, 120, 132, 156, 174, 191, 905, 968.
108	Introduced by Mather, Hemstad, Bardanouve, Kosen: A bill for an act entitled: "An act to repeal Sections 84-4939 and 84-4940, R.C.M., 1947, relating to declaration of estimated income tax and installment payments thereof."	33, 120.
109	Introduced by Harper, by request: A bill for an act entitled: "An act to amend Section 4-235, R.C.M., 1947, to remove the limitation of outstanding indebtedness which may be incurred by the Montana Liquor Control Board."	33, 82, 90, 100, 101, 134, 174, 182, 184, 199, 200, 208, 230, 651, 685, 741, 866.
110	Introduced by Swan, Zimmer: A bill for an act entitled: "An act amending Section 59-538, R.C.M., 1947, by authorizing the reimbursement of certain expenses to the Lieutenant Governor and increasing the maximum amount of reimburseable expenses of certain elective officials."	37, 183, 199, 200, 208, 230, 821, 876, 877, 889.
111	Introduced by Zimmer, Haines: A bill for an act entitled: "An act to provide for the numbering of every motorboat or vessel propelled by machinery; to provide that a certificate showing payment of personal property taxes be required before issuance of decals; and amending Sections 69-3503, 69-3504, and 69-3504.1, R.C.M., 1947."	37, 92.
112	Introduced by Bradley, Parrish, Cox, Fagg, Jackson, Ainsworth: A bill for an act entitled: "An act to define, control and prohibit the littering of public and private property, providing a penalty therefore, and repealing sections 32-1629, 32-1630, and 32-1631, R.C.M., 1947."	37, 108, 220, 239, 248, 250, 279, 793, 827, SA-838, 889, 890, 891, 913.
113	Introduced by Christiansen, Ainsworth: A bill for an act entitled: "An act to amend Sections 66-1501, 66-1502, 66-1504, 66-1506, 66-1507, 66-1508, 66-1509 and 66-1521, R.C.M., 1947, (Montana Pharmacy Law) by substituting the word 'intern' for 'assistant pharmacist'; and to amend Sections 66-1504	

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	and 66-1506 providing for the regulation of interns in accordance with national standards, and to amend Section 66-1506 to increase the registration fee for examination, and to amend Section 66-1507 to increase the renewal of registration fee, to provide a penalty for late renewal, and to reduce the reinstatement period."	38, 70, 81, 86, 90, 114, 751, 823, 824, 825, 857, Ex. 1-7.
114	Introduced by Hall: A bill for an act entitled: "An act providing for the imposition of a gift tax."	38, 210.
115	Introduced by Brand, Cox, Kolstad, Marbut, Lombardi, Baeth, Quilici, Gunderson, Staigmiller: A bill for an act entitled: "An act amending Section 93-4314, R.C.M., 1947, providing that in the case of regularly scheduled wages, garnishment shall not be made unless such garnishment or attachment is performed more than forty-eight (48) hours prior to the time of such regular disbursement."	38, 56, 92.
116	Introduced by Brand, Cox, Kolstad, Quilici, Marbut, Lombardi, Baeth, Gunderson, Staigmiller: A bill for an act entitled: "An act to require walkways across railroad trestles and bridges."	38, 122.
117	Introduced by Ulmer, Kvaalen, Whitney, Johnston, Scott, Pierce, Yardley: A bill for an act entitled: "An act to repeal Chapter 344 of 1969 Session Laws and have the permit drawings at the discretion of the State Fish and Game Commission."	38, 59, 61, 76, 81, 97.
118	Introduced by Christiansen, Selstad, Dye, Bardanoue: A bill for an act entitled: "An act authorizing the Highway Commission to grant certain employees of the State Highway Commission the power of arrest in specified instances, providing for rules and regulations, establishing qualifications to fix and accept bail, issue summons, file complaints, and providing for cooperation with other peace officers."	38, 91, 102, 115, 117, 154, 766, 823, 824, 825, 857, Ex. 1-7.
119	Introduced by Patrick Swan, Worden, Watt: A bill for an act entitled: "An act to amend Section 4-108, R.C.M., 1947, providing salaries of state liquor employees."	38, 92, 108, 411, 441, 515, 525.
120	Introduced by Wolf, Kolstad, Fagg: A bill for an act entitled: "An act to amend Section 53-421, R.C.M., 1947, revising the monetary limits at which an accident must be reported from one hun-	

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	dred dollars (\$100.00) to two hundred and fifty dollars (\$250.00)."	38, 106, 117, 131, 179, 631, 654, 655, 679, 721.
121	Introduced by Wolf, Kolstad, Fagg: A bill for an act entitled: "An act to amend Section 53-422, R.C.M., 1947, revising the damage limit in determining the requirement of security from one hundred dollars (\$100.00) to two hundred and fifty dollars (\$250.00)."	38, 106, 117, 130, 131, 180, 631, 654, 655, 679, 721.
122	Introduced by Wolf, Kolstad, Fagg: A bill for an act entitled: "An act to amend Section 32-1208, R.C.M., 1947, revising the monetary limits at which an accident must be reported from one hundred dollars (\$100.00) to two hundred and fifty dollars (\$250.00)."	38, 106, 117, 131, 180, 631, 641, 650, 655, 680.
123	Introduced by Cox, Campbell, Schoonover, Knudsen, Worden, Gunderson, Glennen: A bill for an act entitled: "An act relating to the teaching profession, recognizing the right of professional educators to join organizations of their choosing, promoting cooperation and discussion between governing boards of public school districts, state institutions, community colleges, the Montana University System and representatives of the profession, and establishing procedures for the participation by members of the profession in the formulation and implementation of policies affecting teaching and providing for the development of teacher evaluation procedures."	39, 401.
124	Introduced by Marbut, Worden, Haines, Olson, Norman, Snortland, Gunderson, Forester, Cox, Staig-miller, Keller, Mather, Fasbender, Brand, Ainsworth, Watt, Glennen, Bradley: A bill for an act entitled: "An act to establish the Litter Act of Montana."	39, 108, 240.
125	Introduced by Patrick: A bill for an act entitled: "An act relating to all suppliers of electric service; prohibiting the duplication of such service, modifying the exemption of rural electric cooperatives from regulation by the Montana Railroad and Public Service Commission; and amending Sections 14-502, 14-529, 14-530, 70-105, R.C.M., 1947."	39, 71, 82.
126	Introduced by Marks, T. Murphy: A bill for an act entitled: "An act appropriating to the Montana Water Resources Board of the State of Montana the sum of eight hundred thousand dollars (\$800,000) to be loaned to the Meagher County-	

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	Newlan Creek Water District at an interest rate of three percent (3%) per annum and pursuant to such terms and conditions as the board shall prescribe."	46, 624.
127	Introduced by Fasbender, Lundgren, Himsl, Watt: A bill for an act entitled: "An act amending Section 84-4903, R.C.M., 1947, to provide for an alternative tax for nonresident taxpayers based on gross sales as required by the multistate tax compact."	46, 92, 102, 115, 118, 154, 276, 284, 286, 326.
128	Introduced by Fasbender, Lundgren Himsl, Watt: A bill for an act entitled: "An act to amend Section 84-1501, R.C.M., 1947, to provide for an alternative corporation license tax based on gross sales as required by the multistate tax compact and to add a corrective statutory reference."	46, 92, 102, 115, 118, 154, 276, 284, 286, 326.
129	Introduced by Burnett, Aber: A bill for an act entitled: "An act providing that the valuation of shares of stock of national and state banks for purposes of taxation be determined in like manner; repealing Section 84-306, R.C.M., 1947, relating to valuation of shares of stock of national banks, and amending Section 84-307, R.C.M., 1947, relating to valuation of shares of stock of state banks, to accomplish the intent of this act."	46, 122, 132, 156, 174, 191, 567, 585, 589, 599.
130	Introduced by Campbell, Ainsworth, Aber, Laas: A bill for an act entitled: "An act amending Section 69-5201, R.C.M., 1947, further defining long-term care facility to include intermediate care facilities."	46, 136, 174, 182, 183, 203, 390, 751, 783, 786, 787, 818, 924.
131	Introduced by Schoonover: A bill for an act entitled: "An act amending Section 26-338, R.C.M., 1947, declaring public waters of the State of Montana between ordinary high water open to fishing by any person owning an angler's license of this state."	47, 118.
132	Introduced by Bardanouve, Kvaalen: A bill for an act entitled: "An act amending Sections 81-412, 81-419, 81-426, 81-428, 81-502, 81-606, 81-613, 81-615, 81-915, 81-1113, 81-1702.1 and 81-1703, R.C.M., 1947, to eliminate fees established by statute and to provide general authority for the Commissioner of Lands and Investments to establish those fees	

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	with the approval of the Board of Land Commissioners."	47, 103, 117, 130, 131, 180, 357, 371, 372, 519.
133	Introduced by Bardanouve, Kvaalen: A bill for an act entitled: "An act amending Section 81-204, R.C.M., 1947, to eliminate the requirements for issuance of triplicate receipts for payments made to the state through the office of the State Commissioner of Lands and Investments."	47, 104, 117, 130, 131, 181, 373, SA- 440, 506, 527, 563, 599.
134	Introduced by Bardanouve, Kvaalen: A bill for an act entitled: "An act to provide for the cancellation of leases on state lands by the Commissioner of State Lands and Investments subject to appeal to the State Board of Land Commissioners, by amending Sections 81-414, 81-415, 81-419 and 81-422, R.C.M., 1947."	47, 103, 117, 156, 174, 192, 373, 390, SA-440, 506, 527, 563, 599.
135	Introduced by Kendall, Gunderson, Campbell, Ainsworth: A bill for an act entitled: "An act to amend Section 69-6007, R.C.M., 1947, to provide an alternate method of defraying the cost and maintenance of refuse disposal districts by allowing the assessment of a mill levy not to exceed two (2) mills on each dollar of taxable valuation of each lot or parcel of land and improvements in the district."	47, 119.
136	Introduced by Greely, Swanberg, Lanthorn, Menahan, Johnston, Bardanouve: A bill for an act entitled: "An act to amend Section 43-803, R.C.M., 1947, regarding the licensing of lobbyists."	47, 225.
137	Introduced by Ulmer, Dye, Robbins: A bill for an act entitled: "An act relating to fees, licenses and certificates of registrations to be paid by various members of the cosmetology profession, adding thereto a registration fee for each student enrolling in a registered cosmetology school, amending Section 66-815, R.C.M., 1947."	47, 253, 264, 282, 283, 299, 792, 858, 859, 889.
138	Introduced by Fasbender, Haines, Prevost, Cox, Christiansen: A bill for an act entitled: "An act requiring the House of Representatives to appoint a House reporter; requiring the House reporter to make a record of all proceedings of the House and deliver a copy thereof to the Chief Clerk of the House; and requiring the Chief Clerk of the House to deliver a copy of the House Reporter's	

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	record at the close of each legislative session to the Secretary of State and to any legislator who requests a copy."	47, 133.
139	Introduced by Harrison: A bill for an act entitled: "An act amending appeal from a justice and a police court proceedings giving discretion to the district judge to provide for more than six (6) jurors."	47, 103.
140	Introduced by Christiansen, Swan: A bill for an act entitled: "An act to amend Section 8-127, R.C.M., 1947, to provide that the temporary tax on gross operating revenue of motor carriers of five hundred seventy-five thousandths (.575) of one percent be made permanent."	47, 265, 283, 287, 288, 308, 321, 331, 337, 360, 793, 827, SA-838, 856, 894, 905, 927, SA-928, 969, 970, 989.
141	Introduced by Christiansen, Nichols, Marks: A bill for an act entitled: "An act to amend Section 84-1601, R.C.M., 1947, to provide that the temporary electrical energy producers' license tax of one and four hundred thirty-eight thousandths percent (1.438%) be made permanent."	48, 266, 283, 288, 308, 321, 350, 353, 376, 793, 827, SA-838, 856, 894, 905, 927, SA-929, 969, 970, 989.
142	Introduced by Christiansen, Cox, Ulmer, Keller: A bill for an act entitled: "An act to amend Section 84-2004, R.C.M., 1947, to provide that the temporary metalliferous mines license tax be made permanent."	48, 267, 283, 287, 289, 308, 331, 337, 361, 793, 827, SA-839, 889, 890, 891, 913.
143	Introduced by Nichols, Fasbender: A bill for an act entitled: "An act to amend Section 84-2102, R.C.M., 1947, to provide that the temporary natural gas distributors' license tax, of five hundred seventy-five thousandths (.575) of one cent for each one thousand (1,000) cubic feet of natural gas, be made permanent."	48, 268, 283, 287, 288, 308, 331, 337, 361, 793, 827, SA-839, 889, 890, 891, 913.
144	Introduced by Fasbender, Hemstad: A bill for an act entitled: "An act to amend Sections 84-2601 and 84-2602, R.C.M., 1947, to provide that the	

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	temporary telephone company license tax, of one and seven hundred twenty-five thousandths percent (1.725%) of gross income in excess of two hundred fifty dollars (\$250), be made permanent."	48, 269, 283, 289, 308, 321, 350, 353, 376, 793, 827, SA-839, 856, 894, 905, 927, SA-929, 980, 989.
145	Introduced by Fasbender, Johnston, McKittrick, Swan, Devine, Greely, Staigmiller, Hodges, Swanberg, Wolf, Gunderson, Snortland, Hall: A bill for an act entitled: "An act appropriating moneys from the 'long-range building program account, bond proceeds and insurance clearance fund' to the State-Controller for a capital project for the Fish and Game Commission for the biennium ending June 30, 1973."	48, 82.
146	Introduced by Johnston, Snortland, Fasbender, Laas, Kosena, Bardanouve, Lanthorn, Selstad, Wolf, Hemstad, Schoonover: A bill for an act entitled: "An act appropriating moneys from the 'long-range building program account, bond proceeds and insurance clearance fund' to the State Controller for a capital project for the Fish and Game Commission for the biennium ending June 30, 1973."	48, 83.
147	Introduced by Watt, Haines, Worden, Burnett, Patrick, Christiansen, Kosena, Fasbender, Healy, Aspevig, Marbut, Campbell, Norman: A bill for an act entitled: "An act providing for the replacement of property taxes on habitable property and certain personal property with a tax on total disposable income; defining habitable property; and providing for its separate listing."	48, 256, 264, 287, 303, 304, 331, 344, 345, 485, 565, 589.
148	Introduced by McGrath, Nichols, Zimmer, Worden: A bill for an act entitled: "An act granting authority to the Montana Liquor Control Board to inspect the books and premises of persons engaged in the manufacture of liquor within the State of Montana."	48, 239.
149	Introduced by Robbins, Fagg, Aber, Burnett, Parrish, Swanberg, Gunderson: A bill for an act entitled: "An act to provide an emergency and disaster fund for the Governor to be implemented by the Department of Administration, authorizing the Governor to expend not to exceed seven hundred fifty thousand dollars from the General Fund, and an immediate effective date."	48, 265, 283, 287, 303, 350, 353, 377, 683, 779, 821, SA-840, 889, 890, 891, 913.

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150	Introduced by the Judiciary Committee: A bill for an act entitled: "An act to validate records of court proceedings prior to January 1, 1971, containing defects, omissions, informalities or irregularities in obtaining a judgment or decree affecting real property, in which time for appeal has expired; providing that duly certified copies of such judgment or decree may be read in evidence with the same effect as judgments or decrees duly and regularly obtained, recorded and entered."	49, 62, 69, 76, 97, 681, 707, 709, 763, 878.
151	Introduced by Judiciary Committee: A bill for an act entitled: "An act validating deeds and conveyances made prior to January 1, 1971, which are defective in execution or acknowledgement, providing that such instruments shall be conclusive evidence of title against the grantors."	49, 62, 69, 76, 81, 97, 681, 761, 763, 764, 788, 878.
152	Introduced by the Judiciary Committee: A bill for an act entitled: "An act to validate and confirm sales or dispositions heretofore made or attempted to be made by any county of any property in which such county had or claimed any right, title or interest, and all instruments of transfer or conveyance heretofore made or executed by any county, and to declare that all such sales, dispositions and instruments have vested in the grantee or purchaser, as of the date thereof, all right, title and interest of the county in and to the property described or covered."	49, 62, 69, 76, 81, 98, 681, 761, 763, 764, 788, 878.
153	Introduced by the Judiciary Committee: A bill for an act entitled: "An act relating to validation of judicial sales prior to January 1, 1971, or real property and curing defects or irregularities in the issuance of execution, manner of making or conducting the sale, or in the recitals or references in sheriffs' deeds."	49, 63, 69, 76, 81, 98, 681, 707, 708, 709, 763, 878.
154	Introduced by the Judiciary Committee: A bill for an act entitled: "An act validating deeds and conveyances in sales of land and personal property made by trustees, executors, administrators and guardians prior to January 1, 1971, curing defects and irregularities in such sales."	49, 63, 69, 76, 81, 98, 681, 761, 763, 764, 788, 878.
155	Introduced by the Judiciary Committee: A bill for an act entitled: "An act validating certain instruments affecting real property and which were er-	

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	<p>roneously executed or acknowledged prior to January 1, 1971; imparting notice by recording thereof; and providing that duly certified copies thereof may be read in evidence with like effect as copies of an instrument duly acknowledged and recorded."</p>	<p>49, 63, 69, 76, 81, 99, 681, 707, 708, 709, 763, 878.</p>
156	<p>Introduced by McGrath, Himsl, Quilici, Yardley, Menahan, Lombardi, Harper, Lee, Healy, Wolf, Keller, Falkenstern, Whitney, Kosena, Mehrens, Lynch: A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to each resident of Montana in military service during the Vietnam war between July 4, 1965 and a date to be announced by the United States government proclaiming the cessation of hostilities in the Vietnam area; to authorize the State of Montana to become indebted in the sum of nine million nine hundred and fifty thousand dollars (\$9,950,000) in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the payment of such honorarium and adjusted compensation and the administration of the law; to provide for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof; to provide for the levy of an annual tax upon all taxable property in the State of Montana sufficient, with other funds on hand and appropriated for the purpose, to pay the bonds and the interest accruing thereon; to levy and provide for the collection of an excise tax upon cigarettes sold or possessed in the State of Montana in addition to and in the same manner as the cigarette taxes now imposed by Section 84-5606, R.C.M., 1947; to create and provide for the administration of a Vietnam Veterans' Compensation Fund and Bond Fund for the payment of such honorarium or adjusted compensation, the bonds and interest thereon, and the expenses of administration of the law; to pledge the continuation of the levy and collection of the cigarette tax and the appropriation thereof and of the proceeds of the bonds to these funds; to make the bonds a legal investment for funds of the State of Montana; to provide penalties for violation of provisions of the law; to amend Section 84-5606, R.C.M., 1947, and Section 84-5606.30 thereof, enacted as Section 29, Chapter 140, Laws of 1969; to make other provisions germane to the main purpose of the law; to provide for a referendum of this law, and to provide an effective date."</p>	<p>Error in printed Journal should be 556 Not 156.</p> <p>56, 199, 608, 631, 858.</p>
157	<p>Introduced by Bardanouve, Greely, Staigmiller,</p>	

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	Devine, Swanberg, Hodges, Brand, Gunderson, Schoonover, Fasbender, Aspevig, Hall: A bill for an act entitled: "An act designating the Smith River as a state recreational waterway."	56, 497, 511.
158	Introduced by Hall, Glennen, Greely, Fitzgerald. A bill for an act entitled: "An act to increase the tax per thirty-one gallon barrel of beer from three dollars (\$3) to six dollars (\$6); distributing fifty percent of the revenue from the beer tax to incorporated cities and towns to be expended for state purposes such as law enforcement, maintenance of the transportation system, and public health; amending Sections 4-317, 4-324 and 4-347, R.C.M., 1947, and Section 4, Chapter 296, Laws of 1969."	56, 645.
159	Introduced by Lynch, Menahan, Knudsen, Harper, Lee, Quilici, Brand, Lombardi, Mehrens, Perry, Cox, Fagg: A bill for an act entitled: "An act to repeal Sections 71-241, 71-242, 71-243, 71-244, 71-245, 71-246, 71-247, 71-248, 71-249 and 71-250, R.C.M., 1947, relating to the lien of the State Board of Public Welfare upon all real property of an applicant for public welfare assistance and the enforcement thereof."	57, 199, 242.
160	Introduced by Knudsen, Kosena, Edland: A bill for an act entitled: "An act to require the enrichment of flour and bread to meet certain standards of vitamin and mineral content; and to fix penalties for violation of this act."	57, 380, 424, 509, 518, 527, 536, 560, 792, 834, 854, 855, 857, Ex. 1-12.
161	Introduced by Dye, Christiansen, Zimmer, Haines, Asbjornson: A bill for an act entitled: "An act to authorize the Highway Patrol Board to issue identification cards to persons over eighteen (18) years of age."	57, 106, 117, 156, 192, 631, 641, 650, 655, 680.
162	Introduced by Asbjornson, Olson, Kosena: A bill for an act entitled: "An act to amend Sections 66-3101, 66-3102, 66-3103, 66-3104, 66-3105, 66-3109, 66-3110, and 66-3112, R.C.M., 1947, providing for nursing homes and administrators, providing an effective date and repealing Section 66-3113, R.C.M., 1947."	57, 117, 132, 156, 174, 192, 678.
163	Introduced by Schoonover, Knudsen, Glennen, Brown: A bill for an act entitled: "An act to amend Section 75-6110, R.C.M., 1947, providing	

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	for an increase in the fine for abuse of teachers by parents and others."	57, 61, 69, 76, 81, 99, 108, 215, 671, 761, 763, 764, 788, 878.
164	Introduced by Fagg, Cox, Darrow, Knudsen, Fasbender, Marbut, E. Smith, Kendall, Glennen: A bill for an act entitled: "An act to provide for the annexation of areas to municipalities under principles of sound urban development, setting forth procedures for annexation and the effect of annexation upon the areas annexed; and providing an effective date."	57, 396, 425, 459, 506, 522, 526, 533, 534, 567.
165	Introduced by Marbut, Fasbender, Haines, Menahan, Christiansen, Yardley, Fleming, Harper, Cox, Towe, McKittrick, Staigmiller, Campbell, Lee, Quilici, T. L. Murphy, Lynch, Clemow, Zody, Glennen, Worden, Devine, Lombardi, Healy: A bill for an act entitled: "An act granting public employers and public employees the right to bargain collectively, providing that the Department of Labor and Industry may designate labor organizations to be exclusive representatives of employees in certain units; and may also call elections by employees for the same purpose; providing the Department of Labor and Industry shall establish remedies for unfair labor practices; and providing procedures for carrying out the act."	57, 450, 506, 522, 533.
166	Introduced by Knudsen, Kosena, Fagg, Prevost, Harper, Weeding, E. Smith, Aber: A bill for an act entitled: "An act to amend Section 75-6107, R.C.M., 1947, providing for timely hearing upon appeal."	57, 72, 81, 90, 100, 101, 122, 215, 752, 781, 822, SA-840, 889, 890, 891, 913.
167	Introduced by Burnett, Knudsen, Aber, Perry: A bill for an act entitled: "An act to amend Section 26-1201 (1), R.C.M., 1947, removing buffalo from the requirements of game farm permit."	57, 118, 132, 156, 174, 193, 677, 678, 741, 866.
168	Introduced by J. Murphy, Lucas, Forester, Bardanoue, Christiansen, Fasbender, Ainsworth, Baeth, Shelden, Kendall, Greely, Lee, Keller, Parrish, Schoonover, Yardley, Watt, Lien, Devine, Marbut, Harrison, Mather, Dye, Brown, C. Smith, Lombardi, Ulmer: A bill for an act entitled: "An act to provide for a constitutional convention; making appropriations in connection therewith; and	

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	amending Section 23-3301, R.C.M., 1947, by deleting provision that candidates for delegates to any constitutional convention who will be chosen at the ensuing general election shall be nominated at partisan primaries held on the first Tuesday in June preceding any general election."	58, 366, 380, 424, 425, 508, 518, 533, 536, 561, 651, 819, 828, SA-840, 897, 915, 923, Ex. 1-12, Ex. 1-38.
169	Introduced by Scott: A bill for an act entitled: "An act amending Section 14, Chapter 287, Laws of 1967, compiled as Section 32-4714, R.C.M., 1947, relating to zoning of certain lands adjacent to the interstate and primary system highways, by extending the applicability of Chapter 287 for an additional period of two (2) years from January 1, 1972, until January 1, 1974."	58, 135, 174, 182, 183, 204, 793, 827, SA-841, 915, 941, 943, 974, 995.
170	Introduced by Giesick, Fagg, Lee, Kolstad, Burnett, E. Smith, Aspevig, Edland, Snortland, Robbins, Spilde, Fleming, Laas, Johnston, Hemstad, McGrath, Gunderson, Hodges, Quilici, Kendall, Nichols, Marks, Selstad: A bill for an act entitled: "An act to establish a mandatory minimum sentence for a second conviction for sale of dangerous drugs."	58, 381, 394, 502, 503.
171	Introduced by Brand, Perry, Snortland, Knudsen, Weeding: A bill for an act entitled: "An act to amend Section 75-7011, R.C.M., 1947, providing for liability insurance for school buses."	58, 81, 90, 100, 101, 122, 174, 215, 751, 783, 785, 787, 818, 924.
172	Introduced by Cox, Schoonover, Campbell, Knudsen, Lund, Warfield, Christiansen, Fasbender: A bill for an act entitled: "An act to amend Section 75-6208, Revised Codes of Montana, 1947, relating to an increase in benefits of teachers retired before July 1, 1969."	58, 383.
173	Introduced by Wolf: A bill for an act entitled: "An act to amend Section 53-431, R.C.M., 1947, providing an expiration date for judgments."	65, 117, 132, 156.
174	Introduced by Swan by request, Robbins: A bill for an act entitled: "An act to amend Section 32-3601, R.C.M., 1947, relating to county tax levies for con-	

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	struction, maintenance, or improvement of public highways."	65, 351, 352, 357, 366, 380, 425, 441, 537, 751, 783, 786, 787, 818, 924.
175	Introduced by Campbell, Kvaalen, Worden, Brand, Watt: A bill for an act entitled: "An act to amend Section 75-6111, R.C.M., 1947, providing alternatives for teachers during the State Teachers' Association convention."	65, 104, 117, 155, 174, 188, 216, 751, 783, 786, 787, 818, 924.
176	Introduced by Hall, J. Murphy, Swanberg, Towe, Parrish: A bill for an act entitled: "An act to amend Section 93-1906, R.C.M., 1947, to provide a minimum and a maximum limit on salaries for court reporters and giving the appointing district judge the authority to set the salary within the limits provided."	65, 129.
177	Introduced by Campbell, Clemow, Brand, Fleming, Brown: A bill for an act entitled: "An act to amend Sections 23-3023 and 23-3027, R.C.M., 1947, providing for precinct registers."	65, 404, 441, 515, 536, 538, 751, 823, 824, 825, 857, Ex. 1-7.
178	Introduced by Schoonover, Cox, Christiansen, Warfield: A bill for an act entitled: "An act to amend Sections 75-6207, 75-6208, 75-6213, Revised Codes of Montana, 1947, relating to the employer contribution to the pension accumulation fund, to interest due on redeposit of contributions, to the retirement benefits and disability benefits paid by the Teachers' Retirement System and further relating to the payment of interest when purchasing out-of-state service,"	66, 134, 183, 197, 199, 200, 219, 220, 245, 631, 654, 655, 679, 721.
179	Introduced by J. Murphy: A bill for an act entitled: An act amending Section 91-4415, R.C.M., 1947, to provide that inheritance taxes be collected by only the State Board of Equalization and county treasurer, and that the county treasurer receipt for inheritance taxes collected in quintuplet."	66, 175, 183, 199, 208, 230, 511, 563, 589, 629.
180	Introduced by J. Murphy: A bill for an act entitled: An act amending Section 91-4437, R.C.M., 1947, by rescinding the requirement that the order de-	

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	termining inheritance tax be mailed to the State Treasurer."	66, 175, 183, 199, 219, 220, 246, 652, 687, SA-731, 783, 787, 818, 923.
181	Introduced by J. Murphy: A bill for an act entitled: "An act amending Section 91-4450, R.C.M., 1947, to provide for monthly rather than quarterly reports of inheritance taxes collected by county treasurers and to provide for monthly reports of inheritance tax collections by the State Treasurer."	66, 175, 183, 199, 208, 231, 386.
182	Introduced by Darrow, E. Smith, Fagg, Fasbender, Ainsworth, Worden, Marbut, Dye, Johnston, Keller, Perry, Schoonover, Norman, Brown, Yardley, J. Murphy: A bill for an act entitled: "An act to establish a State Recreational Waterways System; designating certain rivers and streams, and segments of rivers and streams as segments of State Recreational Waterways System; providing for administration of system by Fish and Game Commission; and restricting use of waters and of lands submerged or submergible by waterways system."	66, 496, 506, 522, 536, 538, 767.
183	Introduced by Johnston, Wolf: A bill for an act entitled: "An act amending Section 31-130, R.C.M., 1947, to require documentary proof of name and date of birth on all original applications for license, instruction permit or motorcycle endorsement; and providing an effective date."	66, 135, 174, 197, 198, 216, 611.
184	Introduced by J. Murphy: A bill for an act entitled: "An act amending Section 91-4411, R.C.M., 1947, to clarify the application of the estate tax upon transfers of estates of decedents; to include non-resident estates under the act; to provide an apportionment formula when estate is partly within and partly without the state; and to provide a ax situs for property for estate tax purposes."	66, 175, 183, 199, 208, 231, 511, 536, 563, 589, 599.
185	Introduced by Bennett, Spilde, Robbins, Laas, Lucas, Christiansen: A bill for an act entitled: "An act to amend Section 92-206, R.C.M., 1947, to permit private contractors engaged in the performance of contract work for public corporations to provide workmen's compensation insurance under Plans No. 2 or 3, as provided in the Workmen's Compensation Act."	66, 119, 132, 156, 174, 193, 821, 876, 877, 889.

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186	Introduced by Selstad, Kosena, Lund: A bill for an act entitled: "An act to provide for form for the schedule of expense claims; and repealing Section 59-540, R.C.M., 1947."	66, 133.
187	Introduced by Lund, Selstad, Kosena: A bill for an act entitled: "An act for computation of per diem allowance; and repealing Section 59-539, R.C.M., 1947."	66, 133.
188	Introduced by Greely, Devine, McKittrick: A bill for an act entitled: "An act accepting the cession of current jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Montana."	67, 201, 207, 219, 220, 246, 681, 707, 709, 763, 904.
189	Introduced by Sverdsten, Swan: A bill for an act entitled: "An act requiring a licensed truck or trailer dealer to secure a demonstration permit for purposes of demonstration only, affixing the fees and terms of said permits, affixing a penalty and repealing Sections 53-118.1, 53-118.2, 53-118.3, 53-118.4 and 53-118.5, R.C.M., 1947, enacted as Section 2, Chapter 36, Laws of 1965."	67, 135, 174, 182, 183, 204, 751, 783, 786, 787, 818, 995.
190	Introduced by Haines, Worden, Olson, Fagg, Campbell, Norman, Gunderson, Glennen: A bill for an act entitled: "An act to prescribe the period of limitations in which actions for professional negligence can be commenced."	67, 206, 208, 219, 236, 239, 259, 683, 779, 822, SA-841, 889, 890, 891, 913.
191	Introduced by Lockwood, Worden, Laas: A bill for an act entitled: "An act to amend Section 1, Chapter 4, Laws of 1969, compiled as Section 82-4101, R.C.M., 1947, relating to withdrawal of retained payments by public contractors and adding bank certificates of deposit to the obligations that may be deposited in relation thereto."	67, 176, 183, 200, 208, 231, 681, 707, 708, 709, 763, 878.
192	Introduced by Sverdsten, Himsl: A bill for an act entitled: "An act to amend Section 32-3304.1, R.C.M., 1947, defining concrete mixer trucks, mixer trailers, semitrailer and truck-tractors and establishing fees."	67, 136, 183, 197, 198, 216, 681, 761, 763, 764, 788, 878.
193	Introduced by Sverdsten, Clemow: A bill for an act entitled: "An act providing a penalty for violation	

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	of the provisions of Sections 32-2707, 53-638.1, 53-640, 53-641 and 53-642, R.C.M., 1947."	67, 206.
194	Introduced by Kosena, Lund, Selstad: A bill for an act entitled: "An act to require certification of expense claims by the employee and his supervisor."	67, 133, 183, 199, 208, 232, 671, 761, 763, 764, 788, 924.
195	Introduced by Lockrem, Dye, Laas: A bill for an act entitled: "An act amending Sections 32-3707 and 53-118, R.C.M., 1947, to authorize the use of dealer's license plates by special mobile equipment dealers."	67, 185, 199, 200, 208, 232, 751, 823, 824, 825, 857, Ex. 1-7.
196	Introduced by Keller, Snortland, Brown: A bill for an act entitled: "An act to require each Montana licensed optometrist to attend continuing educational programs for not less than twelve (12) hours annually."	67, 272, 283, 303, 304, 332, 651, 685, 741, 866.
197	Introduced by Baeth, Shelden: A bill for an act entitled: "An act to create a new judicial district of the State of Montana to be composed of the county of Lincoln and known as the nineteenth judicial district."	72, 133.
198	Introduced by Marks, Zimmer, Lee, Mehrens, Lombardi: A bill for an act entitled: "An act to amend the eligibility requirements for participation in benefits under the volunteer firemen's pension plan; amending Sections 11-2022, 11-2023, 11-2024 and 11-2025, R.C.M., 1947; repealing any acts and parts of acts in conflict herewith; and providing an effective date."	72, 136, 174, 182, 183, 205, 651, 677, 678, 741, 866.
199	Introduced by Scott: A bill for an act entitled: "An act to prohibit insurers from cancelling a professional liability insurance policy or increasing the premium rates thereon because of claims, demands or lawsuits that are determined to be unfounded or where nonliability is established."	72, 93, 211, 220, 237, 239, 259, 766, 823, 824, 825, 857, 995.
200	Introduced by Haines, Zimmer, Nichols, Fitzgarrald, Lundgren, Brown, Worden, Himsl: A bill for an act entitled: "An act to amend Section 40-4917, R.C.M., 1947, exempting benevolent association from licenses and fees and to add a new section	

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	numbered 40-4918 requiring an annual license for benevolent associations."	72, 283, 293, 320, 321, 348, 821, 876, 877, 889.
201	Introduced by Marbut, Lombardi Lee, J. Murphy: A bill for an act entitled: "An act to amend Section 87-148, R.C.M., 1947, providing automatic coverage for any employer covered under the Federal Unemployment Tax Act; clarifying definition of employment of an individual or officer of a corporation; and the following in conformity with Public Law 91-373, employment security amendments of 1970; amending definition of employment to include coverage of certain non-profit organizations, hospitals or institutions of higher education operated by this state or its instrumentalities and services performed by a citizen outside the United States; redefining agricultural employment; defining institutions of higher education and hospitals; and deleting language no longer applicable."	72, 176, 183, 200, 208, 232, 683, 779, 821, 825, 866, 899, 900, 905, 956, 968, 989.
202	Introduced by Scott, Warfield, Fasbender, Dye, Darrow, Lockrem, Cox, Haines, J. Murphy, Bennett, Marbut, Fagg, Towe, Bradley, Watt, Parrish, Staigmiller, Swanberg: A bill for an act entitled: "An act to provide state public school equalization funds to school districts which maintain a free public kindergarten; amending Sections 75-6902, 75-6917, 75-7001, and 75-7507, R.C.M., 1947,"	73, 255, 264, 287, 288.
203	Introduced by Campbell, Wolf: A bill for an act entitled: "An act amending Section 31-103, R.C.M., 1947, to authorize the Montana Highway Patrol Board to make rules and regulations; and providing an effective date."	73, 185, 199, 200, 208, 233, 611, 630, 652, 793, 827, SA-842, 889, 890, 891, 913, Ex. 1-7.
204	Introduced by Glennen, Marks, McGrath, Spilde, Forester, Healy, Lombardi: A bill for an act entitled: "An act to amend Section 84-1836 of the Revised Codes of Montana, 1947, pertaining to credits on special fuel taxes; authorizing the use of measuring devices to determine amounts of special fuel consumed by a motor vehicle while the vehicle is stationary; and repealing all acts and parts of acts in conflict herewith."	73, 295, 304, 320, 321, 348, 792, 826, 858, 859, 889.

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205	Introduced by Glennen, McGrath, Forester, Christiansen, Ulmer, Healy, Lombardi: A bill for an act entitled: "An act amending the Motor Carrier Act requiring motor carriers transporting livestock for hire to obtain a certificate of public convenience and necessity, providing for grandfather rights and providing exemptions."	73, 271, 285, 342, 352, 375, 380, 426, 751, 823, 824, 825, 857, Ex. 1-12.
206	Introduced by Glennen, Marks, McGrath, Christiansen, Forester, Ulmer, Healy, Lombardi: A bill for an act entitled: "An act to amend Sections 84-1834 and 84-1835 of the Revised Codes of Montana, 1947, pertaining to monthly returns and payments of special fuel taxes and the preparation and retention of records thereof; providing that, except in the case of a fraudulent return or of neglect, or refusal to make a return, every deficiency shall be assessed within three years after the twenty-fifth day of the next succeeding calendar month following the monthly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires the later; providing that records of the use of such fuels shall be required to be kept for a period of at least three years from the date on which the return is required to have been filed; and repealing all acts and parts of acts in conflict herewith."	73, 272, 283, 287, 293, 316, 652.
207	Introduced by Baeth, Shelden, Marbut, Kendall, Fleming: A bill for an act entitled: "An act amending Section 32-2114, R.C.M., 1947, defining street and highway for the purpose of the uniform act regulating traffic on highways, to include certain forest service roads within said definition, and amending Section 32-1122, R.C.M., 1947, to exclude regulation of size and weight of vehicle using said forest service roads from the provisions prohibiting the use of same on any public highway."	73, 133, 174, 182, 183, 205, 670.
208	Introduced by Cox, Lucas, Harrison, Robbins, Snortland, Gunderson, Kosena, Campbell, Harper: A bill for an act entitled: "An act to provide for removal of elective officers of cities and towns under a mayor-council form of government and to amend Sections 11-721 and 11-1013, R.C.M., 1947, pertaining to removal of officers."	73, 200, 208, 219, 243, 250, 263, 395, 502, 518, 538, 819, 827, SA-842, 889, 891, 913.
209	Introduced by Sverdsten, Kendall, Campbell: A bill	

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	for an act entitled: "An act providing for collection of service charges by cities and towns operating a municipal sewer or water system; giving of notice to owners of real estate of delinquency in payment of service charges; and certification to the County Assessor or real estate upon which service charges remain unpaid; and adding a new Section 84-4726.1."	73, 323.
210	Introduced by Lucas, East, Baeth, Lee, Cox, Lombardi, Ellerd: A bill for an act entitled: "An act to amend Section 87-110 of the Unemployment Compensation Law, R.C.M., 1947, by providing the right to elect coverage by the political subdivisions of this state for its employees in hospitals and institutions of higher learning in conformity with Public Law 91-373, employment security amendments of 1970; fixing an effective date; deleting language no longer applicable."	74, 176, 183, 200, 208, 233, 671, 707, 709, 763, 878.
211	Introduced by East, Lucas, Clemow, Edland, Baeth, Lee, Lombardi, Ellerd: A bill for an act entitled: "An act to amend Section 87-104 of the Unemployment Compensation Law, R.C.M., 1947, by amending the duration of benefits to provide a program of extended benefits in conformity with Public Law 91-373, employment security amendments of 1970; and fixing an effective date."	74, 119, 132, 156, 174, 193, 671, 707, 709, 763, 878.
212	Introduced by Edland, Lien, Knudsen, Perry: A bill for an act entitled: "An act to amend Section 46-2331, R.C.M., 1947, relating to fees which may be imposed by the State Grass Conservation Commission against districts."	74, 210, 220, 237, 239, 260, 357, 371, 372, 510.
213	Introduced by Haines, Lucas, Harrison, Dye, Christiansen, Fasbender: A bill for an act entitled: "An act to amend Section 23-3706, R.C.M., 1947, relating to the mailing of absentee ballot to an elector, providing for the use of protective inserts and instructions on procedures in instances of adhesion of the balloting material and the type of writing instrument to be used to mark the absentee ballot."	74, 118, 132, 156, 174, 194, 766, 823, 824, 825, 857, Ex. 1-7.
214	Introduced by Haines, Lucas, Harrison, Dye, Christiansen, Fasbender: A bill for an act entitled: "An act to amend Title 23, Chapter 37, R.C.M., 1947, by adding a new section relating to absentee voting and registration, providing for the registra-	

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	tion of electors whose United States services or employment has terminated too late to register in person to vote in the next ensuing election."	74, 118, 132, 156, 174, 194, 766, 834, 854, 855, 857, Ex. 1-7.
215	Introduced by Haines, Lucas, Harrison, Dye, Christiansen, Fasbender: A bill for an act entitled: "An act to amend Section 23-3720, R.C.M., 1947, relating to oaths for electors in United States service, providing for the administration and attestation of such oaths by any member of the Merchant Marine of the United States designated for this purpose by the Secretary of Commerce, the head of any department or agency of the United States, any civilian employee designed by the head of any department or agency of the United States as well as any commissioned officer in active service and any civilian official empowered by state or federal law to administer oaths."	74, 119, 132, 156, 174, 194, 766, 834, 854, 855, 857, Ex. 1-7.
216	Introduced by Haines, Lucas, Harrison, Dye, Christiansen, Fasbender: A bill for an act entitled: "An act to amend Section 23-3718, R.C.M., 1947, relating to the definition of 'electors in the United States service', providing for the franchising of additional electors."	74, 119, 132, 156, 174, 195, 766, 823, 824, 825, 857, Ex. 1-7.
217	Introduced by Haines, Lucas, Harrison, Dye, Christiansen, Fasbender: A bill for an act entitled: "An act to amend Section 23-3721, R.C.M., 1947, relating to the use of the federal post card application by registrars after receipt of such cards from electors in the United States service, providing for the acceptance of the federal post card applications as simultaneous application for registration and for ballot."	74, 119, 132, 156, 174, 195, 766, 823, 824, 825, 857, Ex. 1-7.
218	Introduced by Himsl, Brown, Schoonover: A bill for an act entitled: "An act to amend Section 75-8125, R.C.M., 1947, providing for annexation of elementary districts by a community college district."	75, 81, 90, 100, 101, 122, 217, 751, 783, 786, 787, 818, 923.
219	Introduced by Keller, Selstad, Swanberg, Baeth: A bill for an act entitled: "An act amending Section 93-2810, R.C.M., 1947, to provide that the	

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	remarriage of the spouse of a decedant in a wrongful death action shall be admissable into evidence on the issue of damages."	75, 207.
220	Introduced by Himsl, Brown, Schoonover: A bill for an act entitled: "An act to amend Section 75-8117, R.C.M., 1947, providing for notice of special meetings of the board of trustees."	75, 81, 90, 100, 101, 122, 217, 751, 783, 786, 787, 818, 923.
221	Introduced by Himsl, Brown, Schoonover: A bill for an act entitled: "An act to amend Section 75-8112, R.C.M., 1947, providing for the organization of a community college district."	75, 134, 174, 197, 198, 217, 751, 783, 785, 787, 818, 923.
222	Introduced by Watt, Bradley: A bill for an act entitled: "An act to limit the number of natural children a taxpayer may claim on the income tax form by amending Section 84-4910, R.C.M., 1947."	75, 120, 132, 156, 181.
223	Introduced by T. Murphy, Baeth, Weeding, Yardley, Bardanouve, Sheldon, Jackson, Harper, Darrow, Snortland: A bill for an act entitled: "An act requiring all employers to grant to employees who are elected or appointed to full time public office leave of absence of not more than one hundred eighty (180) days while engaged in such service; and requiring such employees to return to work, unless physically unable, within thirty (30) days following the completion of such public service or lose their seniority."	75, 227, 442.
224	Introduced by Burnett, Knudsen, Giesick, Aber, Brown: A bill for an act entitled: "An act to amend Section 32-2142, R.C.M., 1947, to establish a mandatory minimum sentence for a second or third conviction of driving while under the influence of intoxicating liquor."	75, 103, 117, 130, 131, 181, 752.
225	Introduced by Bradley, Lanthorn: A bill for an act entitled: "An act to require the appointment of female deputy sheriffs for female prisoners confined in county jails."	83, 136, 174, 182, 196, 208, 233, 600, 940.
226	Introduced by Greely, Bennett: A bill for an act entitled: "An act to remove the limitation of the number of deputies allowed county officers by repealing Sections 16-3701, 16-3704, and 16-3706, R.C.M., 1947."	83, 136.

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227	Introduced by Patrick, Nichols, Lund, Bardanouve: A bill for an act entitled: "An act to repeal Montana's Meat Inspection Law, Sections 46-401 through 46-415, R.C.M., 1947."	83, 252.
228	Introduced by Warfield, Aspevig: A bill for an act entitled: "An act to provide for the establishment, organization and operation of the Agricultural Experiment Station by amending Sections 75-8411, 75-8428, and repealing in their entirety Sections 75-8412, 75-8413, 75-8414, 75-8415, 75-8416, 75-8417, 75-8418, 75-8419, 75-8420, 75-8421 and 75-8422 of the Higher Education Laws Recodification of the 42nd Session Laws of Montana."	83, 105, 117, 155, 156, 182, 183, 205, 485, 506, 527, 563, 599.
229	Introduced by Greely, Swanberg: A bill for an act entitled: "An act deleting the requirement of being a 'freeholder' or 'taxpaying freeholder' amending Sections 11-710, 11-714, 11-725, 11-1021, 11-1207, 11-1208, 11-3417, 84-4706 and 84-4710, R.C.M., 1947."	Error in printed Journal. Should be 299 not 229. 83, 212, 213, 822.
230	Introduced by Gunderson, Fleming, Glennen: A bill for an act entitled: "An act amending Section 3-228, R.C.M., 1947, providing for the bonding, licensing and fees of warehouseman, track buyer, grain dealer and others; and providing penalties for operating without a license."	83, 295, 304, 320, 331, 336, 350, 353, 377, 819, 828, SA-842, 942, 943, 971.
231	Introduced by Haines, Nichols: A bill for an act entitled: "An act amending Sections 28-103 and 28-123, R.C.M., 1947, providing for definitions of conservation and lands for conservation purposes; and providing for disposal of moneys for forest, forest range, forest water, and forest soil conservation by the Board of Forestry."	83, 240, 250, 262, 282, 283, 299, 567, 585, 589, 599.
232	Introduced by Haines, Nichols: A bill for an act entitled: "An act amending Section 81-1413, R.C.M., 1947, providing ex officio firewardens with the power of peace officers for the purpose of enforcing any state or federal forest laws and for those purposes set forth in Section 28-125."	83, 184, 199, 200, 208, 234, 672.
233	Introduced by Giesick: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to Section 5, Article XIII of the Montana Constitution removing the requirement for approval by the electorate for county indebtedness in excess of ten thou-	

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	sand dollars (\$10,000) when the indebtedness is incurred for single airport development project.”	83, 129, 201.
234	Introduced by Giesick, Lockrem, Cox, Haines, Christiansen, Fasbender, Nelstead: A bill for an act entitled: “An act amending Section 94-1436, R.C.M., 1947, to increase the length of time itemized statements of candidates for public office must be held as public records.”	84, 297, 304, 320, 321, 348, 751, 823, 825, 857, Ex. 1-7.
235	Introduced by Selstad, Keller, Snortland, Anderson, Robbins, Aspevig, E. Smith, Lanthorn, Kosena, Devine, Bennett, Gunderson, Aber, Forester, Giesick, Brown, Glennen, Lockwood, Patrick, Kolstad, Lundgren, Perry, Parrish, Zimmer, Wolf, Warfield, Lund, Burnett, Lockrem, Nichols: A bill for an act entitled: “An act requiring the Governor to pay a one thousand dollar reward to any person or persons giving valuable information that leads to the arrest, conviction and imprisonment in the Montana State Prison of any person who sells a dangerous drug as defined in Chapter 1, Title 54, Revised Codes of Montana, 1947, and providing for procedures for collection of the reward.”	84, 408, 441, 515.
236	Introduced by Lockwood, Towe, Bennett, Aspevig: A bill for an act entitled: “An act amending Section 87A-9-110, R.C.M., 1947, providing what is a sufficient real estate description for financing statements covering crops growing or to be grown.”	84, 185.
237	Introduced by Fagg, Keller: A bill for an act entitled: “An act to amend Section 75-5707, R.C.M., 1947, providing that “duties of trustees” may require immunizations as a prerequisite for school entrance.”	84, 104, 258, 294.
238	Introduced by Mather, Robbins: A bill for an act entitled: “An act to amend Section 84-301, R.C.M., 1947, relating to taxation and classification of rights of entry.”	84, 185, 199, 200, 208, 234, 820, 876, 877, 889.
239	Introduced by Haines, Nichols: A bill for an act entitled: “An act to amend Section 28-125, R.C.M., 1947, providing for clarification of those laws which ex officio firewardens shall enforce; and including field officers of the United States Bureau of Land Management as ex officio firewardens.”	93, 184, 199, 200, 208, 234, 820, 889, 890, 891, 913, Ex. 1-12.

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240	Introduced by Brand, Menahan, Lee, Lombardi, Harper, Lynch, Quilici, Healy, Mehrens: A bill for an act entitled: "An act setting the salary schedule for guards at the state prison."	93, 423.
241	Introduced by Kvaalen: A bill for an act entitled: "An act appropriating seventeen thousand dollars (\$17,000) to the University of Montana for archaeological surveys under the supervision of the Department of Anthropology."	93.
242	Introduced by Gunderson, E. Smith, Lien, Anderson, Brand, Staigmiller, Aspevig, Selstad, Knudsen, Johnston, Laas, Cox, Kolstad, Snortland, Edland, Hemstad, Nichols, Fitzgarrald, Perry, Fleming, Weeding, Eggebrecht, Towe, Fasbender: A bill for an act entitled: "An act to amend Section 3-2911 and Section 3-2913, R.C.M., 1947, relating to the Assessment of wheat grown in the State of Montana."	93, 209, 220, 237, 248, 250, 280, 652, 687, SA-731, 783, 787, 818, 924.
243	Introduced by Fagg, Bradley, E. Smith, T. Murphy, Prevost, Norman, Ulmer, Robbins, Snortland, Glennen, Darrow, Schoonover, Towe, Fasbender, Hall, Forester, Cox, Scott, Warfield, Lund, Yardley, Johnston, McKittrick, Weeding, Zody, Gunderson, Shelden: A bill for an act entitled: "An act requiring the licensing of persons engaged in mining exploration, mining and related activities; requiring permits for the conduct of such mining exploration, mining and related activities; providing for the administration and enforcement of said act by the council on natural resources and development; and providing for an appeal procedure."	93, 101, 485, 506, 522, 539, 819, 828, SA-843, 889, 891, 913, Ex. 1-7.
244	Introduced by Fagg, Bradley, E. Smith, Mather, T. Murphy, Prevost, Norman, Ulmer, Robbins, Snortland, Glennen, Darrow, Schoonover, Towe, Fasbender, Hall, Forester, Cox, Scott, Warfield, Lund, Johnston, Yardley, Ainsworth, McKittrick, Weeding, Zody, Gunderson, Shelden: A bill for an act entitled: "An act eliminating the requirement of sinking a shaft for the location of a mining claim; providing for a certificate of location; providing for the contents of an affidavit of performance of annual work and extending the time for filing such affidavit; amending Section 50-701, 50-702, 50-704 and 50-713, R.C.M., 1947; and repealing Section 50-706, R.C.M., 1947."	94, 101, 496, 518, 530, 536, 561, 820, 827, 829, 867, 912, 933.

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245	Introduced by Hodges, Mehrens, Dye, McKittrick, T. Murphy, Staigmillar: A bill for an act entitled: "An act providing for the State Plumbing Board to administer the laws pertaining to the occupation and practice of plumbing, including license fees, fixture fees, inspections, etc.; amending Sections 66-2401 through 66-2407, 66-2409, 66-2411, 66-2419 and 66-2427, R.C.M., 1947, and repealing Sections 66-2413 and 66-2426, R.C.M., 1947."	94, 252, 357.
246	Introduced by Ulmer, Swanberg: A bill for an act entitled: "An act to appropriate money from the general fund to pay the amount owed to Casper G. Wolhowe for services rendered as superintendent of the State Industrial School, now called Pine Hills School; specifying an immediate effective date."	94, 599, 606, 640, 641, 704, 829.
247	Introduced by Lien, Laas, Lanthorn, Lund, Lucas: A bill for an act entitled: "An act amending Section 16-3705, R.C.M., 1947, relating to qualifications and tenure of deputy sheriffs."	94, 241, 250, 262, 264, 289, 651, 677, 678, 741, 866.
248	Introduced by Lanthorn, by request, Bennett, Keller, Selstad: A bill for an act entitled: "An act supplementing Title 94, Chapter 24, R.C.M., 1947, by providing for the suspension of beer and liquor licenses for violations of the gambling and lottery provisions of the laws and constitution of Montana."	94, 133.
249	Introduced by T. Murphy, Jackson, Snortland: A bill for an act entitled: "An act to be known as the manufactured dairy products act, repealing all of the present dairy products act and regulations contained in Montana statutes, Title 3, Sections 3-2401 through 3-2403; 3-2405 through 3-2431; 3-2434; 3-2436 through 3-2444; 3-2447 through 3-2472; 3-2476 through 3-2487; providing for the authority and duties of the commissioner of agriculture with respect to this act; defining those products and procedures regulated by this act; providing for the licensing and license fees for dairies producing milk and cream for manufacturing purposes, and for manufactured dairy products plants as defined; providing for the same licensing and regulatory authority for those non-dairy products made in semblance or imitation of those products defined in this act; providing for the promulgation of rules and regulations necessary to carry out the intent and purpose of this act; providing for inspections of dairies providing milk and cream for manufacturing purposes and of manufactured dairy products plants, and the enforcement of rules and regulations pertaining to the sanitary production, manufacture, collection,	

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	transportation, handling, storage, and display of products governed by this act; providing for the establishment of standards of composition, quality, purity, and wholesomeness for dairy and non-dairy products defined in this act; authorizing and establishing procedures for the denial, suspension, or revocation, for cause, of licenses issued under authority of this act; providing for those test procedures, the results of which may be used as official and admissible evidence; providing authority for the commissioner of agriculture to make co-operative agreements with other state, federal, county, or municipal departments or agencies as may be needed to carry out the intent and purpose of this act; and providing for the penalties for violation of this act or of the rules and regulations adopted under the authority of this act."	94, 381, 394, 502, 505, 539, 820, 827, SA-843, 897, 956, 968, 989.
250	Introduced by Lynch, Lee, Mehrens, Quilici, Menahan, Harper, Lombardi, Kosena, Healy, Giesick, Kolstad, Snortland, E. Smith: A bill for an act entitled: "An act relating to payments to silicotics; amending Sections 71-1003, 71-1004 and 71-1008, R.C.M., 1947, as amended; repealing all acts and parts of acts in conflict herewith."	95, 186, 199, 200, 390, 395, 426, 681, 707, 708, 709, 763, 878.
251	Introduced by Lynch, by request: A bill for an act entitled: "An act to repeal Sections 71-233, 71-234, 71-235, 71-236, 71-237, 71-238, 71-239 and 71-240, R.C.M., 1947, relating to the liability for contribution to the support of an applicant for public welfare assistance by the applicant's relatives."	95, 243.
252	Introduced by Lynch, by request: A bill for an act entitled: "An act relating to the work week of deputy sheriffs of first class counties."	95, 185, 197, 199, 200.
253	Introduced by Swan, C. Smith, Snortland, Prevost, Schoonover, Laas, Kolstad: A bill for an act entitled: "An act to amend Section 15-2304, R.C.M., 1947, providing for the regulation of health service corporations, by subjecting such corporation to examination by the commissioner of insurance rather than to examination by the attorney general; and repealing Section 40-2611, R.C.M., 1947, which section exempts health service corporations from the Montana Insurance Code."	95, 116, 307.
254	Introduced by Dye, Fasbender: A bill for an act entitled: "An act to amend Section 84-1840, R.C.M., 1947, providing that not more than ten per cent	

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	(10%) or one thousand dollars (\$1,000.00) of funds allocated each fiscal year to any county, incorporated city or town shall be expended for maintenance and repair of roads or streets, and providing not more than seven thousand five hundred dollars (\$7,500.00) of allocated funds may be expended each fiscal year to any county, incorporated city or town without being submitted to bids; and amending paragraph (8) of said section relating to the reduction of allocated funds; and providing a tax of seven (7¢) cents per gallon on all gasoline."	95, 122, 135, 183, 197, 198, 218, 752, 781, 822, 872, SA-881, 942, 943, 971.
255	Introduced by Dye, Fasbender: A bill for an act entitled: "An act to amend Section 84-1847, R.C.M., 1947, relating to the gasoline license tax providing for a tax of seven (7¢) cents per gallon; and providing an effective date."	95, 135, 183, 197, 198, 218, 751, 783, 785, 787, 818, 924.
256	Introduced by Gunderson, Kolstad, Snortland, Aspevig, Hemstad, Johnston, T. Murphy, Wolf: A bill for an act entitled: "An act to amend Section 3-1902, R.C.M., 1947, by permitting certain seeds up to a given percentage to be included in Class 2 and Class 3 mustard seed without being considered foreign material and without affecting grading."	109, 134, 174, 197, 198, 218, 485, 518, 527, 563, 599.
257	Introduced by Giesick: A bill for an act entitled: "An act to amend Section 84-6011, R.C.M., 1947, to provide for a credit against the tax on migratory personal property for taxes paid to other states on such personal property who have reciprocal tax credit laws."	109, 257.
258	Introduced by Ulmer, Scott: A bill for an act entitled: "An act to amend Section 11-2214, R.C.M., 1947, relating to the methods of payment of special improvement districts."	109, 241, 250, 263, 264, 289, 766, 826, SA-844, 915, 941, 943, 974.
259	Introduced by Whitney, Kvaalen, Ed. Smith, Prevost, Falkenstern, Clemow, Aspevig, Weeding: A bill for an act entitled: "An act to provide for licensing of livestock dealers and establishing the procedure, rules, and regulations therefor."	109, 242, 250, 263, 264, 290, 682, 779, 821, SA-844, 915, 941, 943, 974.
260	Introduced by Knudsen: A bill for an act entitled:	

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	“An act authorizing the Fish and Game Commission to regulate the use, by archers, of livestock and vehicles during special archery seasons.”	109, 202, 208, 219, 220, 246, 682, 761, 763, 764, 788, 878.
261	Introduced by Swanberg, Himsl, Fasbender, Christiansen, Greeley, Bardanouve, Gunderson, Ulmer, Harrison, Parrish, Lien: A bill for an act entitled: “An act to subject corporations to an income tax if they are not subject to the corporation license tax.”	109, 210, 220, 237, 239, 260, 651, 685, 741, 866.
262	Introduced by Nichols, Fasbender, T. Murphy, Kolstad: A bill for an act entitled: “An act to amend and add new sections to the Montana Milk Control Law; amending Section 27-403, R.C.M., 1947, relating to definitions, by adding definitions thereto; amending Section 27-406, R.C.M., 1947, relating to markets, by removing the requirement there be at least five natural marketing areas in the state; amending Section 27-407, relating to minimum prices, to provide for flexible price formulas and to specify how base plans may be established and under what circumstances area-wide or state-wide pooling arrangements may be adopted; amending Sections 27-408, 27-409, and 27-410, relating to licensing, to include jobbers and imported milk within the jurisdiction of the Milk Control Board; amending Section 27-411, R.C.M., 1947, to provide that civil penalties may be assessed by the Milk Control Board in lieu of suspension or revocation of license; repealing Section 27-427, R.C.M., 1947, relating to local advisory boards; adding new sections to provide a time limitation on credit which may be extended to retailers and to prohibit financing of producers and retailers by distributors; providing for severability if any part of this act is determined unconstitutional; and repealing all acts and parts of acts in conflict herewith.”	109, 210, 220, 237, 239, 260, 651, 685, 741, 866.
263	Introduced by Nichols, Fasbender, T. Murphy, Kolstad: A bill for an act entitled: “An act declaring the public policy of this state relating to unfair, unjust, destructive and demoralizing trade practices in the marketing and distribution of dairy products; prohibiting processors and distributors of dairy products from furnishing money, equipment, furniture and fixtures to retailers and consumers; providing certain limited exceptions; providing for termination of existing arrangements; designating violations of this act as a misdemeanor and designating penalties upon conviction; providing that violations hereof constitute a nuisance	

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	which may be enjoined and providing treble damages in addition to injunctive relief; providing for severability if any part of this act is determined unconstitutional; and repealing all acts and parts of acts in conflict herewith."	109, 210.
264	Introduced by Harper, Menahan, Quilici, Lynch, Brand, Lee, Towe: A bill for an act entitled: "An act relating to the teaching profession, recognizing the right of professional educators to bargain collectively; providing that the Department of Labor and Industry may designate employee organizations to be the exclusive representative of employees in certain units; and may also call elections by employees for the same purpose; providing the Department of Labor and Industry shall establish remedies for unfair labor practices; and providing procedures for carrying out the act."	110, 401.
265	Introduced by Darrow, Jackson, Weeding Bardanoue, Campbell, Cox, Robbins, Keller, Anderson, Warfield, Asbjornson: A bill for an act entitled: "An act relating to management and regulation of the floodways of watercourses as prescribed; to define terms; to provide for certain duties and powers of the Montana Water Resources Board as prescribed; to provide for a floodway obstruction removal fund; to declare certain acts unlawful; and to provide for penalties."	110, 496, 506, 524, 539, 819, 828, SA-844, 915, 941, 943, 974.
266	Introduced by Lanthorn: A bill for an act entitled: "An act amending Section 75-5206, R.C.M., 1947, to provide that the Montana Law Enforcement Academy Advisory Board select and hire such staff as it deems necessary to implement the Montana Law Enforcement Academy Act."	110, 224, 239, 248, 250, 280, 819, 827, SA-845, 889, 890, 891, 913.
267	Introduced by Knudsen, Harrison, Lund, Nichols, Bardanoue, Lucas, Ulmer, Cox, Edland, Snortland, Kolstad, Robbins, Darrow, Forester, Glennen, Fagg, Hall, Healy, Gunderson, Worden, Towe: A bill for an act entitled: "An act relating to the classification of property for taxation; providing a basis for the imposition of taxes; amending Sections 84-301 and 84-302, R.C.M., 1947."	110, 257, 264, 282, 283, 299, 386, 424, SA-440, 527, 563, 629.
268	Introduced by Parrish, Zimmer, Marbut, Greely: A bill for an act entitled: "An act to amend Sections 64-301, 64-302, and 64-303, R.C.M., 1947, to include	

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	age as a civil right; to include the State of Montana as "every person" prohibited from discriminating and to avoid conflict with other Montana statutes."	110, 225.
269	Introduced by Knudsen: A bill for an act entitled: "An act to provide that an agisters' lien or liens for services for repair of motor vehicles shall not take precedence over perfected security interests under the uniform commercial code—secured transactions, or other recorded liens on the property involved, unless written notice of the intent to assent the lien is given to the secured party within thirty (30) days instead of ten (10) days of receiving the property; amending Section 45-1106, R.C.M., 1947."	110, 207.
270	Introduced by Knudsen: A bill for an act entitled: "An act to amend Section 53-1002 and 53-1003, R.C.M., 1947, to provide for registration of snowmobiles with the State Board of Equalization and setting a registration fee."	110.
271	Introduced by Knudsen: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, to include snowmobiles in class five for purposes of taxation."	110, 744.
272	Introduced by Warfield, Christiansen: A bill for an act entitled: "An act to repeal the taxpayer qualification of electors voting at school elections for issuing school district bonds, additional levy for general fund, consolidation or annexation with assumption of bonded indebtedness, and building reserve fund authorization; to repeal the taxpayer qualification of petitioners for elementary district territory transfer; amending Sections 75-6410, 75-6412, 75-6414, 75-6509, 75-6516, 75-6923, 75-7112, 75-7113, 75-7114, 75-7117, 75-7134, and 75-7205, R.C.M., 1947; repealing Section 75-6411, R.C.M., 1947, and providing an effective date."	110, 324, 337, 359, 364, 391, 671, 707, 709, 763, 866.
273	Introduced by Gunderson, Norman, Zimmer, Parrish, Keller, Swanberg, Selstad: A bill for an act entitled: "An act to amend Sections 66-1012, 66-1013, 66-1023, 66-1025, 66-1028, 66-1029, 66-1030, R.C.M., 1947, of the medical practice act providing for the issuance of physician's certificates to doctors of osteopathy, altering the composition of the Board of Medical Examiners to include one doctor of osteopathy, prohibiting discrimination against doctors of osteopathy licensed hereunder, expanding the definition of approved medical schools, internships and residencies to include schools accredited by the American Osteopathic	

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	Association and internships and residencies approved by the American Osteopathic Association."	111, 406, 441, 506, 524, 536, 561, 792, 876, 877, 889, 924.
274	Introduced by Brand: A bill for an act entitled: "An act amending Sections 80-1402, 80-1404, and 80-1409, R.C.M., 1947, to transfer the powers and duties of the State Board of Institutions to the State Board of Examiners and to abolish the State Board of Institutions and repealing Sections 80-1407 and 80-1408, R.C.M., 1947."	111, 340.
275	Introduced by Harrison: A bill for an act entitled: "An act to provide for holiday observance by public employees when a holiday falls on the employee's day off."	111, 304, 350, 353, 378, 681, 707, 708, 709, 763, 878.
276	Introduced by Hodges, Staigmilller, Zimmer: A bill for an act entitled: "An act to amend Section 87-149, R.C.M., 1947, which section is a part of the unemployment compensation law, by defining 'better employment'; deleting language no longer applicable."	111, 251, 321.
277	Introduced by Burnett: A bill for an act entitled: "An act to amend Section 4-108, R.C.M., 1947, providing salaries of state liquor employees."	111, 116, 411.
278	Introduced by Schoonover, Jackson, Kendall, Clemow, Staigmilller, Fleming: A bill for an act entitled: "An act pertaining to registration and use of snowmobiles; providing penalties; and repealing Sections 53-1001 through 53-1011, R.C.M., 1947."	111.
279	Introduced by McKittrick, Swanberg, Hodges, Harper, Staigmilller, Hall, Devine: A bill for an act entitled: "An act increasing jurors' and witnesses' fees in state district courts and courts not of record in the State of Montana by amending Sections 25-401, 25-403, 25-404, 25-409, 25-410, R.C.M., 1947."	111, 224, 239, 248, 250, 280, 819, 827, SA-845, 889, 890, 891, 913.
280	Introduced by Brand: A bill for an act entitled: "An act amending Section 53-106.7, R.C.M., 1947, by providing that a fee of two dollars (\$2.00) shall be collected for each set of National Guard license plates."	111, 209.
281	Introduced by Brand: A bill for an act entitled: "An act repealing Sections 53-1001, 53-1002, 53-1003, 53-1004, 53-1005, 53-1006, 53-1007, 53-1008, 53-1009, 53-1010, and 53-1011, R.C.M., 1947, relating to registration and licensing of snowmobiles."	111.

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282	Introduced by Brand: A bill for an act entitled: "An act amending Section 53-109, R.C.M., 1947, relating to transfer of title or interest to or in a motor vehicle; creating new sections of the Revised Codes of Montana, 1947, designated as Sections 53-109.1, 53-109.2 and 53-109.3; providing for the issuance of a temporary windshield sticker upon the transfer of a motor vehicle; and repealing Sections 53-134 and 53-135, R.C.M., 1947."	112.
283	Introduced by Lee, Mehrens, Harper, Cox, Lombardi, Menahan, Quilici, Marbut, Olson, Fagg, Ainsworth, Burnett, Campbell, Healy, Brown, Perry, Baeth, T. Murphy, Haines, Lynch: A bill for an act entitled: "An act relating to motion picture theater employees and obscene motion pictures."	112, 224.
284	Introduced by Lynch, Cox, Gunderson, Forester, Staigmiller, Glennen, Warfield, Healy, Harper: A bill for an act entitled: "An act relating to the School Foundation Program; providing for changes in financial schedules for the maximum-general-fund budget-without-a-voted-levy for districts and county high schools; amending Section 75-6905, R.C.M., 1947; and providing an effective date."	122.
285	Introduced by Hall: A bill for an act entitled: "An act to amend Section 11-1829, R.C.M., 1947, to permit the Board of Trustees to invest in certificates of deposit."	122, 139, 254, 264, 282, 286, 293, 316, 651, 677, 678, 741, 866.
286	Introduced by Watt, Swanberg, Fasbender, Christiansen, Bardanouve, Knudsen, Haines: A bill for an act entitled: "An act relating to the Long-Range Building Program; increasing the maximum amount of bonds which may be issued for the program and eliminating the maximum interest rate thereon; clarifying the definition of the Special Tobacco Products Tax pledged and appropriated to the Sinking Fund Account for the payment of such bonds; levying and providing for the collection of an additional excise tax upon cigarettes sold or possessed in Montana, and appropriating additional collections of cigarette excise taxes to the Long-Range Building Program Account in the Sinking Fund and in the Bond and Insurance Clearance Fund; amending Sections 79-2202, 79-2203, 79-2205, 84-5606 and 84-5606.30, R.C.M., 1947, and providing an effective date."	122, 298, 628, 641, 684, 707, 736, 907, 956, 968, 989.
287	Introduced by Christiansen, Norman, Fasbender, Hall: A bill for an act entitled: "An act to amend Section 84-1501, R.C.M., 1947, and to provide that the temporary corporation license tax of six and	

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	one-quarter percent (6½%) of net income be increased to seven percent (7%) and made permanent."	122, 608, 622, 655, 704, 859, 915, 941, 948, 971.
288	Introduced by Fasbender, Bardanoue, Christiansen, Hall: A bill for an act entitled: "An act relating to Montana income tax; eliminating federal income tax as a deduction in computing net income; replacing exemptions now allowed as deductions in computing taxable income with personal tax credit to be deducted from the tax after computation; and repealing the surtax; amending Sections 84-4901, 84-4902, 84-4906, 84-4910, 84-4915, R.C.M., 1947, and repealing Section 84-4902.1, R.C.M., 1947."	123, 284, 285, 590.
289	Introduced by Schoonover, Watt, Marbut, Parrish: A bill for an act entitled: "An act to permit seventh and eighth grade pupils of elementary schools to be counted separately for budget and foundation program purposes under certain conditions, and providing an effective date."	123, 341.
290	Introduced by Mehrens, Lee, Menahan, Quilici, Kosena, Lynch, Harper, Lombardi, Staigmiller, Laas, Healy, Perry, McGrath: A bill for an act entitled: "An act to amend Section 84-4910, R.C.M., 1947, to increase the allowance for personal exemption from income taxation."	123, 366.
291	Introduced by Schoonover: A bill for an act entitled: "An act providing for the licensing of commercial driving schools by the Highway Patrol Board; requiring the Highway Patrol Board to adopt regulations governing such commercial driving schools; providing for hearings by the Highway Patrol Board; and providing a penalty."	123, 342, 352, 375, 380, 427, 751.
292	Introduced by Fagg, Keller: A bill for an act entitled: "An act to amend Section 75-5933, R.C.M., 1947; providing that 'duties of trustees' may require immunizations as a prerequisite for school entrance."	123, 225, 239, 248, 250, 258, 294.
293	Introduced by Greely, Dye: A bill for an act entitled: "An act supplementing Title 82, Chapter 39, R.C.M., 1947, by establishing the Division of Communications and Records with the office of the Attorney General and abolishing the Montana Law Enforcement Teletypewriter Communications Commission, and providing for the repeal of Sections 82-3901 through 82-3906, R.C.M., 1947."	123, 357, 475, 506, 522, 536, 540, 793, 827, SA-845, 942, 943, 974.

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294	Introduced by Lynch, Mehrens, Lee, Menahan, Perry, Healy, Harper, Lombardi, Brand, Knudsen: A bill for an act entitled: "An act amending Section 19-107, R.C.M., 1947, relating to legal holidays and business days to provide that Good Friday shall be a legal holiday and that if a legal holiday falls on a Saturday, the preceding Friday is a holiday."	123, 273, 283, 292, 303, 319.
295	Introduced by Mather, Glennen, Forester, Quilici, E. Smith, Giesick, Cox, Robbins, Healy, Lanthorn, Patrick, McKitterick, Mehrens, Marbut, Kosena, Harper, Lombardi, Lee, Lynch, Perry, Towe, Greeley, Menahan, Brand, Lucas, Worden: A bill for an act entitled: "An act to provide that an active police officer shall pass to reserve list after twenty-five (25) years service, or at age sixty (60) years; to provide that reserve officer shall receive one-half ($\frac{1}{2}$) of the salary he was receiving during the month before he retired and to provide for an increase in widow or dependents benefits due to cost of living increase; to provide for a tax levy for the fund not to exceed two (2) mills; to provide for a contribution to the reserve officers funds of four per centum (4%) of the monthly compensation of each active police officer; to provide for appointment of fund trustees; to provide for investment by the board of trustees of the reserve officers funds in time and savings certificates in banks and savings and loan associations; amending Sections 11-1818, 11-1821, 11-1823, 11-1828, 11-1829, R.C.M., 1947, and to add a new section to provide that all payments to reserve officers or dependents are not subject to tax or levy or execution."	123, 466.
296	Introduced by Jackson, Forester, Warfield, Parrish, Schoonover, Clemow, Shelden, Knudsen, Marks, Fasbender: A bill for an act entitled: "An act amending Section 75-6319, R.C.M., 1947, to increase from four hundred dollars (\$400) to five hundred dollars (\$500) the amount paid per pupil attending high school in Twin Bridges from the Montana Children's Center by the Superintendent of Public Instruction."	124, 270, 283, 287, 293, 316, 671, 707, 709, 762, 878.
297	Introduced by Dye, Lockwood: A bill for an act entitled: "An act amending Section 26-221, R.C.M., 1947, authorizing the Montana Fish and Game Commission to incur the cost of furnishing license agents corporate surety bonds in an amount equal to licenses received."	124, 296.
298	Introduced by Reapportionment Committee: A bill for an act entitled: "An act to amend Section 23-3101, R.C.M., 1947, relating to the establish-	

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	ment of precinct boundaries and providing maps of precinct boundaries."	124, 324, 337, 350, 353, 378.
299	Introduced by Wolf, Dye: A bill for an act entitled: "An act to amend Section 32-1127, R.C.M., 1947, defining vehicles, combination of vehicles, loads, objects or any other things for special permits in excess of statutory limits, providing conditions for issuing such special permits, establishing fees and providing exemptions and providing a penalty."	124, 209, 220, 237, 239, 260, 752, 781, SA-846, 915, 941, 943, 971.
300	Introduced by Burnett: A bill for an act entitled: "An act to provide for the recovery of all costs of collection and reasonable attorney fees in the discretion of the court in cases in which less than the sum of five hundred dollars (\$500) has been extended by credit or loan on a written contract."	124, 211.
301	Introduced by Burnett: A bill for an act entitled: "An act establishing a state personnel department to administer a personnel system for the recruiting, examination, classification, compensation and dismissal of state employees; providing for inclusion within the system of all state employees except for certain exemptions; providing for the appointment, organization and compensation of a state personnel board and defining its powers and duties; providing for the appointment of a State Personnel Director and defining his powers and duties; amending Sections 1-203, 3-105, 4-112, 4-225, 26-107, 28-302, 31-105, 32-2502, 40-2704, 43-711, 46-208, 53-101, 60-125, 69-4109, 70-118, 71-203, 71-209, 71-210, 71-217, 75-2703, 82-108, 82-1519, 82-3101, 82-3605, 84-705, 87-123, and 89-103, Revised Codes of Montana, 1947, and repealing Sections 4-108, 25-504, 26-108, 26-116, 44-409, 46-704, 79-804, 92-114 and 92-115, Revised Codes of Montana, 1947, and all other acts or parts of acts in conflict herewith; and providing an effective date for changes to existing statutes."	124, 442.
302	Introduced by Himsl, Marbut, Yardley, Patrick, Brown: A bill for an act entitled: "An act amending Chapter 49, Title 84, R.C.M., 1947, to provide for the imposition of a Montana income tax which is equal to twenty percent (20%) of the federal income tax payable on Montana taxable income; repealing Sections 84-4901, 84-4902, 84-4903, 84-4905, 84-4906, 84-4908, 84-4909, 84-4910, 84-4912, 84-4914, 84-4915 and 84-4917, R.C.M., 1947."	124, 588, 592, 619, 620, 621.
303	Introduced by Bardanouve: A bill for an act entitled: "An act to amend Sections 43-1101 and	

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	43-1106, R.C.M., 1947, relating to the Legislative Fiscal Review Committee."	124, 265, 283, 287, 293, 317, 672, 737.
304	Introduced by Weeding, Schoonover, Brown, Olson: A bill for an act entitled: "An act amending Section 69-5509, R.C.M., 1947, to provide for life-guards at all swimming pools during hours of operation."	125, 408.
305	Introduced by Fasbender, Ulmer, Bardanouve, Devine, Towe: A bill for an act entitled: "An act amending Section 69-3923, R.C.M., 1947, by providing that air pollution facilities, machinery or equipment shall be classified as class 7 property for purposes of taxation for a period not to exceed three years; by providing a method for applying for such classification; and providing for the withdrawal of such classification upon non-compliance with the provisions of the Clean Air Act of Montana."	125, 720, 740, 780, 782, 811.
306	Introduced by Lockwood, Bardanouve, Ellerd: A bill for an act entitled: "An act to provide for maintenance of State Fire Marshall's office; and amending Section 82-1231, R.C.M., 1947."	125, 186, 199, 200, 208, 235, 681, 707, 708, 709, 762, 878.
307	Introduced by Marbut, Zody, Haines, Olson: A bill for an act entitled: "An act providing protective services for the mentally retarded."	125, 276, 403.
308	Introduced by Marbut, Zody, Haines, Olson, Bardanouve: A bill for an act entitled: "An act to establish a Division of Mental Retardation within the Department of Institutions; providing that the Boulder River School and Hospital is within the Division of Mental Retardation; providing that the Eastmont Training Center is within the Division of Mental Retardation; providing that the Superintendent of Boulder River School and Hospital is the supervisor of the Division of Mental Retardation; prescribing the location and function of the Boulder River School and Hospital; prescribing the function of the superintendent of the Boulder River School and Hospital; defining mental retardation; setting forth the functions of the Division of Mental Retardation and providing for effective date. Repealing Sections 80-2301 and 80-2302."	125, 272, 283, 285, 423, 501, 505, 540, 671, 761, 763, 764, 788, 878.
309	Introduced by Marbut, Zody, Norman, E. Smith: A bill for an act entitled: "An act authorizing the Department of Institutions to purchase services	

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	in local communities for mentally retarded persons; providing for non-profit corporate boards to administer such programs locally; providing for the allocation of appropriated monies; providing for approval of programs; providing for the administration by the Department of Institutions."	125, 272, 283, 303, 304, 332, 671, 783, 787, 818, 923.
310	Introduced by Marbut, Zody, Bardanouve: A bill for an act entitled: "An act relating to the Interstate Compact on Mental Health authorizing the State of Montana to enter into a compact with any of the United States, its territories and possessions, for the treatment of mentally ill and mentally deficient; providing for a 'compact administrator'; and providing effective date."	125, 272, 283, 303, 304, 332, 681, 761, 763, 764, 788, 878.
311	Introduced by Marbut, Zody, Norman, Olson, Haines: A bill for an act entitled: "An act to amend Section 75-7805, R.C.M., 1947, to establish mandatory special education classes for trainable mentally retarded children."	125, 307.
312	Introduced by Marbut: A bill for an act entitled: "An act to amend Sections 75-7801 and 75-7803, R.C.M., 1947, to include the educationally handicapped child in those requiring special education and providing for the development of a program for the educationally handicapped by the Superintendent of Public Instruction."	125, 445, 506, 522, 526, 567.
313	Introduced by Marbut, Zody, Norman, Olson, Bardanouve, Haines: A bill for an act entitled: "An act to provide for the continuation of coverage under individual and group health insurance and hospital and medical service plan contracts for mentally retarded or physically handicapped dependent children; amending Chapter 37, Title 40, R.C.M., 1947."	126, 324, 337, 350, 353, 378, 821, 876, 877, 889.
314	Introduced by Marbut, Zody, Norman: A bill for an act entitled: "An act to provide that per diem charges shall not be assessed to or collected from any parent or other person responsible for the support and maintenance of a resident of the Boulder River School and Hospital or the Eastmont Training Center after the resident reaches his 21st birthday or after he is a resident of any state institution or institutions by reasons of mental retardation for fifteen (15) years, whichever	

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	occurs first; amending Section 80-1603, R.C.M., 1947."	126, 276, 403, 441, 515, 536, 540.
315	Introduced by East, by request: A bill for an act entitled: "An act to amend Section 87-106, R.C.M., 1947, which section is a part of the Unemployment Compensation Law, by deleting chargeback matters provided for in another section; providing for the payment of benefits to an individual taking approved training in conformity with Public Law 91-373, Employment Security Amendments of 1970; eliminating the denial or benefits by reason of cancellation of wage credits by repealing Sections 87-106 (g) and (j) in conformity with Public Law 91-373, Employment Security Amendment of 1970."	126, 250, 264, 282, 283, 300, 672, 737, 739, 740, 792, 903, 905, 969, 970, 989.
316	Introduced by Darrow, Warfield, Ainsworth, Bardanoue, Johnston, Anderson, Haines, Falkenstern, Dye, Jackson: A bill for the act entitled: "An act requiring prospectors, miners or other persons in this state to advise the owner of the land surface in advance of any operations which will disturb the surface of such land and obtain authorization to operate thereon."	126, 364, 380, 425, 441, 541, 793, 827, SA-846, 915, 941, 943, 974.
317	Introduced by Worden, Haines, Watt, Nichols, Ainsworth, Lockwood, Fitzgarrauld, Marbut, Campbell: A bill for an act entitled: "An act amending Section 82-3317, R.C.M., 1947, relating to the State Controller's supervision of construction of buildings, excepting from certain of the requirements buildings constructed under authority of the Regents of the Montana University System."	126, 265, 283, 287, 293, 317, 610.
318	Introduced by Ulmer, Falkenstern: A bill for an act entitled: "An act to require each Board of County Commissioners to furnish all sheriffs and deputy sheriffs with uniforms."	126, 186, 199, 200.
319	Introduced by McKittrick, Mehrens: A bill for an act entitled: "An act to create a Banking Law Commission, to prescribe its powers and duties, and to make an appropriation therefore."	126, 297.
320	Introduced by Yardley: A bill for an act entitled: "An act amending Section 69-4118, R.C.M., 1947, by including jails among the buildings and facili-	

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	ties subject to sanitary inspections by the State Department of Health."	126, 220, 239, 248, 250, 281, 821, 876, 877, 889.
321	Introduced by Hall, Greely: A bill for an act entitled: "An act to amend Section 93-1906, R.C.M., 1947, to raise every court reporter's annual salary to twelve thousand five hundred dollars (\$12,500)."	126, 210, 220, 237, 248.
322	Introduced by Bardanouve, Nichols: A bill for an act entitled: "The Executive Budget Act—providing for a comprehensive system of financial management and state budgeting on a program basis; repealing Sections 79-1001, 79-1006, 79-1007, 79-1011, 79-1012, 79-1013, 79-1014, 79-1015, 79-1016, 79-1017, 79-1018 and 79-1019, R.C.M., 1947."	127, 243, 250, 258, 262, 264, 276, 459.
323	Introduced by Bardanouve, Nichols: A bill for an act entitled: "An act to require state agencies to compensate state employees for ordered overtime work."	127, 442.
324	Introduced by Bardanouve, Nichols: A bill for an act entitled: "An act to amend Section 77-157, R.C.M., 1947, to provide for leave of absence for state employees attending training camps or similar training program."	127, 243, 250, 258, 262, 264, 290, 671, 707, 709, 762, 878.
325	Introduced by Zimmer, Marks: A bill for an act entitled: "An act to amend Section 82-1202.1, R.C.M., 1947, providing for licensing of businesses which manufacture, sell, service and install fire extinguishers, fire alarms and fire extinguishing systems."	127, 324.
326	Introduced by Harper, Lucas, Christiansen, Lanthorn, Bardanouve, Kosena, Lee, Norman, Perry, McKittrick, Lynch: A bill for an act entitled: "An act relating to unfair trade practices and consumer protection."	127, 248, 371, 380, 502, 505, 541, 767.
327	Introduced by Watt: A bill for an act entitled: "An act amending Section 66-402, R.C.M., 1947, altering the definition of barbering, and amending Section 66-403, R.C.M., 1947, altering the definition of apprentice."	127, 253.
328	Introduced by Lundgren: A bill for an act entitled: "An act to amend Section 19-107, R.C.M., 1947, relating to legal holidays and business days."	127, 272, 283, 287, 288, 403.
329	Introduced by Hall: A bill for an act entitled: "An	

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	act to amend Section 28-603, R.C.M., 1947, relating to the protection and conservation of forest and farm resources by the County Commissioners."	127, 339, 352, 375, 376, 380, 427, 821, 876, 877, 889.
330	Introduced by Keller: A bill for an act entitled: "An act to prohibit insurers from settling a professional liability insurance claim without consent of the insured."	127, 207.
331	Introduced by Lund, Kvaalen, Kolstad, Laas, Snortland, Gunderson, Aspevig, Swan, Lien, Edland: A bill for an act entitled: "An act to provide that a nonresident engaged in the business of custom combining shall pay a flat fee of eighty dollars (\$80) per unit in lieu of property taxes required by Section 84-6008, R.C.M., 1947, motor vehicle license fees, as provided in Title 53, R.C.M., 1947, gross vehicle weight fees and over-width permits, as provided in Title 32, R.C.M., 1947; to provide for a collection of the fees by the Gross Vehicle Weight Division of the State Highway Department; and to provide for the disposition of the fees."	127, 339, 352, 359, 375, 390, 395, 427, 793.
332	Introduced by Lanthorn, Bennett: A bill for an act entitled: "An act repealing Section 94-35-138 which makes it a misdemeanor to encourage or permit a minor under sixteen (16) years of age to be in a public dance hall."	127, 211, 220, 237, 239, 261, 651, 707, 709, 762, 878.
333	Introduced by Kolstad, Laas, Christiansen, Giesick, Gunderson, Snortland, Anderson, Wolf, Spilde, McGrath, Quilici, Robbins, Aspevig, Lundgren, Keller, Dye: A bill for an act entitled: "An act to amend Sections 74-602 and 74-608, R.C.M., 1947, relating to retail installment sales."	127, 367, 380, 502, 505, 541, 766, 822, SA-846, 889, 891, 895.
334	Introduced by Yardley, Warfield: A bill for an act entitled: "An act to amend Section 11-614, R.C.M., 1947, to include certain lots among the exceptions for platting for parks and playgrounds."	128.
335	Introduced by Zimmer, Schoonover, Keller: A bill for an act entitled: "An act to limit liability to gross negligence or willful misconduct in an action for property damage arising from a collision upon a public highway or road between a motor vehicle and livestock."	139, 254, 258, 264, 310, 321, 350, 353, 379, 793.

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336	Introduced by Hall: A bill for an act entitled: "An act amending Section 45-502, R.C.M., 1947, to provide that a person claiming a mechanics' lien who does not have a direct contractual relationship with the owner of the real property shall, within ten days of the first supplying of materials or labor, give notice to the owner that such material or labor is being supplied."	139, 240, 250, 263, 264, 290, 298.
337	Introduced by Hall :A bill for an act entitled: "An act providing that the owner of real property against which a mechanics' lien has been filed may substitute a bond for the security of the lien and that said real property shall then be released from the effect of such lien, together with any improvements thereon, and providing, in such instance, that the lien claimant shall have an action upon the bond rather than an action to foreclose a lien, and providing that the statute of limitations for foreclosure of a mechanics' lien shall apply to an action upon such bond."	139, 240, 250, 262, 264, 291, 821, 915, 941, 943, 974.
338	Introduced by Hall, McKittrick, Haines, Healy, Towe: A bill for an act entitled: "An act to establish minimum wages and hours for employees in the State of Montana; delegating to the Commissioner of Labor the duty of administering the act; and providing enforcement."	140, 182, 238, 337, 352, 375, 376, 380, 428, 819, 828, SA-847, 915, 941, 943, 971.
339	Introduced by Gunderson, Forester, Staigmilller: A bill for an act entitled: "An act providing for the development and implementation of a model program-planning-budgeting-and-evaluation-system in one (1) first class and one (1) second class school district selected by the State Board of Education, and appropriating funds therefor."	140, 208, 220, 237.
340	Introduced by Brand, Glennen: A bill for an act entitled: "An act to amend Section 68-203 (h), Revised Codes of Montana, 1947, by clarifying the nature of retirement systems which would disqualify a person from membership in the Public Employees Retirement System; repeal conflicting acts."	140, 199, 371.
341	Introduced by Patrick, Lanthorn, Lee, McKittrick, Perry, Lockrem, Menahan, Harper: A bill for an act entitled: "An act amending Section 66-803, R.C.M., 1947, changing the statutory requirements for length of beauty school; and changing the fee charged for temporary license."	140, 239, 250, 262, 264, 291, 751.

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342	Introduced by Patrick, Lanthorn, McKittrick, Perry: A bill for an act entitled: "An act to amend Section 66-804, R.C.M., 1947, providing for an increased number and composition of the membership in the State Examining Board of Cosmetology."	140, 239, 250, 258, 263, 324, 337, 350, 353, 379, 751.
343	Introduced by Towe, Harper, Johnston, Parrish, Patrick: A bill for an act entitled: "An act to amend Sections 69-3502 and 69-3505, R.C.M., 1947, to provide for wearing of life jackets on wild rivers or streams."	140, 321, 337, 359, 373.
344	Introduced by Towe, Greely, Keller, Fasbender, Watt: A bill for an act entitled: "An act to amend Sections 94-112, 94-114, 94-2505, 94-2601, 94-3207, 94-4501, 95-2301, 95-2305, R.C.M., 1947, and to repeal Sections 95-2303, 95-2304, 95-2306, 95-2307 abolishing the death penalty."	140, 254, 264, 287.
345	Introduced by Shelden, Kendall, Schoonover, Baeth: A bill for an act entitled: "An act amending Section 84-429.7, R.C.M., 1947, relating to the duties of Boards of County Commissioners in connection with the classification and appraisal of property for tax purposes, by providing therein for the appraisal of timberlands."	140, 188, 351, 364, 390, 395, 428.
346	Introduced by Shelden, Kendall, Schoonover, Baeth: A bill for an act entitled: "An act amending Sections 84-402 and 84-404, R.C.M., 1947, concerning information to be furnished taxpayers in assessments of their property, to require assessments to indicate the basis or percentage upon which true and full value is determined for assessment purposes."	140, 188, 327, 336, 351.
347	Introduced by Patrick, Bennett, Ainsworth, Nelstead, Worden, Lanthorn, Towe, Lundgren: A bill for an act entitled: "An act to provide for the creation of a game preserve in the area of the Gates of the Mountains, Lewis and Clark County, Montana, under the provisions of Section 26-1101, Revised Codes of Montana, 1947, as amended."	140, 296, 304, 320, 330, 337, 361, 682, 707, 708, 709, 762, 878.
348	Introduced by Patrick, Towe, Healy: A bill for an act entitled: "An act amending Section 84-4820, R.C.M., 1947, to provide an extension of time for filing annual statement of railway freight car leases and payment of tax."	140, 210, 220, 237, 239, 261, 792, 858, 859, 889.

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349	Introduced by Haines, Lundgren, Bardanouve, Prevost: A bill for an act entitled: "An act providing for prima facie evidence of the intent to defraud in the issuance of non sufficient funds checks and to provide for civil liability for interest, costs of collection and reasonable collection fees upon such checks."	141, 241, 250, 263, 282, 283, 300, 767.
350	Introduced by Haines, Lundgren, Bardanouve: A bill for an act entitled: "An act defining the offense of issuing a bad check; providing for prima facie evidence of intent; providing penalties for violations and repealing Section 94-2702."	141, 271, 283, 287, 293, 318, 767.
351	Introduced by East, Selstad: A bill for an act entitled: "An act relating to all users of special fuels including liquid petroleum gases as defined by Section 84-1831 (h), Revised Codes of Montana, 1947, as amended, providing for the imposition, payment and collection of a tax upon the receipt, delivery or placement of liquid petroleum gases into the fuel system supply tanks of motor vehicles for use in propulsion of same on public highways within the State of Montana; providing for the making of a return, and payment of tax by a user thereof in motor vehicles for propulsion on public highways within the state, supplied to the user in a manner and from a supply system other than the direct placement by a special fuel dealer into the fuel supply system tank of a motor vehicle and providing for authority of the Board of Equalization of the State of Montana to provide forms by which the user can comply with the law and pay the lawful tax imposed upon special fuels; and authority of enforcement by the Board of Equalization and penalties for violation; and amending Sections 84-1832, 84-1832.1, 84-1833 and 84-1835, R.C.M., 1947."	141, 343, 352, 390, 395, 429, 751, 823, 824, 825, 857, Ex. 1-12.
352	Introduced by Nelstead, Giesick, Devine, Glennen: A bill for an act entitled: "An act amending powers and duties of the State Board of Equalization in Section 84-708, R.C.M., 1947, relating to the assessment and apportionment of public utility companies, by adding an alternative method of apportionment of the valuation for assessment of such company among the several counties of this state in such proportion as in the judgment of the board will fairly represent the valuation for assessment within each such county, utilizing commonly recognized methods of apportioning as in its judgment shall be just and equitable."	141, 257, 264, 287, 293, 318, 651, 687, SA-732, 783, 785, 787, 818, 995.

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353	Introduced by Dye, Greely, Bennett, Patrick, Swanberg, Keller, Selstad: A bill for an act entitled: "An act creating the division of criminal investigation within the office of the Attorney General and defining the duties of said division."	141, 264, 283, 285, 423, 502, 513, 518, 542, 819, 827, SA-847, 915, 942, 953, 974, 995.
354	Introduced by Greely, Hall, Bennett, McKittrick, Parrish: A bill for an act entitled: "An act to amend Section 92-702, R.C.M., 1947, to delete limitations as to type of injuries for which additional compensation may be awarded."	141, 337.
355	Introduced by Burnett, Glennen, Nelstead, Christiansen, Healy: A bill for an act entitled: "An act relating to sheriff's motor vehicles; amending Section 16-2724, R.C.M., 1947, to allow county commissioners to furnish motor vehicles to sheriff's office without consent of sheriff; amending Sections 16-2723, and 25-226, R.C.M., 1947, to increase mileage payments to sheriffs using privately owned motor vehicles used by sheriffs."	141, 273, 283, 287, 303, 304, 333, 336, 362, 683, 780, 822, 871, SA-911, 956, 968, 989.
356	Introduced by Knudsen, Kosena, Menahan, Mehrens: A bill for an act entitled: "An act to allow totally and permanently disabled residents of the State of Montana to purchase and fish with a fifteen cent (15¢) Pioneer License."	141, 226.
357	Introduced by Keller, Sverdsten, Selstad: A bill for an act entitled: "An act to provide a state welfare equalization levy."	142, 407, 408.
358	Introduced by Keller, Harper, Sverdsten, Selstad: A bill for an act entitled: "An act requiring the State Department of Public Welfare to reimburse the county welfare departments one half (½) of the amount of any approved general relief grants."	142, 380, 394, 502, 558, 542, 751.
359	Introduced by Keller, Selstad, Sverdsten, Harper: A bill for an act entitled: "An act to amend Section 71-106 and Section 71-222, R.C.M., 1947, lowering the welfare levy ceiling from seventeen (17) mills to fourteen (14) mills."	142, 380.
360	Introduced by Dye, Ellerd, Lockwood: A bill for an act entitled: "An act authorizing the establishment of student building fees at Montana State	

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	University; repealing Chapter 372, Laws of 1969, and providing an effective date."	142, 341, 352, 359, 364, 392, 821, 876, 877, 889.
361	Introduced by Dye, Wolf, Zimmer, Snortland, Kolstad, Ellerd, Lockwood: A bill for an act entitled: "An act providing for the display of tax-paid decals on every snowmobile operated in the State of Montana; for the yearly issuance of such decals; for a change in the assessment date of snowmobiles; providing penalties for violation of this act; and amending Section 84-406, R.C.M., 1947."	142, 219, 459, 506, 523, 536, 558, 793, 827, SA-847, 942, 943, 971.
362	Introduced by Bennett, Greely, Lanthorn, Harrison, Patrick: A bill for an act entitled: "An act to amend Sections 25-301, 25-303, 25-306, 11-1601, 93-401 and 93-402, R.C.M., 1947, relating to justices' courts and justices."	142, 254, 264, 282, 283, 300, 767.
363	Introduced by Keller, Gunderson, Devine, Patrick, Staigmiller: A bill for an act entitled: "An act to amend Section 75-6810, R.C.M., 1947, to provide for payment of salaries of school district employees by deposit directly to employees' account in local banks upon employee authorization."	142, 355, 364, 390, 395, 429, 792, 858, 859, 889.
364	Introduced by Patrick: A bill for an act entitled: "An act to amend Section 75-7309, R.C.M., 1947, relating to the investment of endowment funds of school districts."	142, 327, 564, 573, 574, 792, 858, 859, 889.
365	Introduced by Olson: A bill for an act entitled: "An act to amend Section 66-1413, Revised Codes of Montana, 1947, providing that osteopathy is not the practice of medicine and providing that a person who has completed one year of an approved internship and graduated from a college of osteopathic medicine after 1965 may apply to the Board of Medical Examiners to take the examination to practice medicine and surgery in the State of Montana as an osteopathic physician and surgeon."	142.
366	Introduced by Brand: A bill for an act entitled: "An act appropriating one thousand nine hundred forty-four dollars (\$1,944) to pay the claim of Melvin Beck for the loss of hay by fire set by a patient of the Montana State Hospital on December 25, 1963."	142, 624.

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367	Introduced by Brand, Campbell, Ainsworth, Aber, Burnett: A bill for an act entitled: "An act amending Section 84-301, R.C.M., 1947, to provide phosphates to be included in class four (4) of property for a basis for taxation."	142, 518, 598.
368	Introduced by Marbut, Watt: A bill for an act entitled: "An act to revise Chapter 50 of Title 69 by broadening the statement of public policy to refer to quality of water for all uses; revising the definition of subdivision; adding other definitions; revising the provisions for making rules and standards; requiring approval of subdivision maps or plats and plans and specifications by local planning board and Department of Health before filing with county clerk and recorder; providing for notice to Fish and Game Department of proposed subdivisions; providing for public notice of proposed subdivisions; providing for hearings on rules and standards; providing for hearings on alleged violations and proposed subdivisions and limiting time for requests for hearings and providing for consolidation of hearings; providing for judicial review and appeals; providing remedies and sanctions relating to violations; permitting any person or governmental subdivision or agency to protest violation and providing for investigation of alleged violations; providing for use of records and cooperation of other agencies; providing for effect of invalidity of part of act or violation of part; amending Sections 69-5001, 69-5002, and 69-5005, R.C.M., 1947, and repealing Sections 69-5003 and 69-5004, R.C.M., 1947."	143, 496, 505, 506, 522, 536, 542, 791.
369	Introduced by McNamer, Bardanouve, Clemow, Darrow, Fagg, Ellerd, Snortland, Kolstad, Norman, Watt, Lanthorn, Gunderson, Hodges, Bennett: A bill for an act entitled: "An act to levy a tax on all outdoor advertising signs, establish taxable rates and classifications for advertising signs, providing for issuing of permits by county assessors, distribution of tax receipts, providing a penalty and establishing an effective date."	143, 498, 518, 527, 528, 529.
370	Introduced by Harrison, Christiansen, Marbut, Giesick, Nichols, Quilici, Lombardi, Haines, Gunderson, Lucas, Lee, Lanthorn, Kolstad, Bennett, Harper, Patrick, Brand, Watt, E. Smith, Himsl, Mehrens, Healy, Lynch, East, Brown, Laas, Aspevig, Robins, Staigmiller, Eggebrecht, Kendall, Fleming, T. Murphy, Swanberg, Perry, Kosena, Towe, Nelstead, Cox, Warfield, Forester, Fasbender, Zimmer, Marks, Schoonover, Asbjornson, Hall, Parrish, J. Murphy: A bill for an act entitled: "An act relating to the public employees' retirement system changing the formula for calculating re-	

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	<p>irement benefits; increasing the employer contribution to the retirement fund; increasing retirement allowances to members of the system retired prior to July 1, 1971; requiring a minimum of one year of creditable service after reinstatement from retirement to be eligible for newly enacted retirement benefits; amending Sections 68-801, 68-901, 68-1307, R.C.M., 1947, and adding new Section 68-902, R.C.M., 1947.”</p>	<p>143, 511, 518, 533, 534, 535, 572, 681, 761, 763, 764, 788, 878.</p>
371	<p>Introduced by Schoonover, T. Murphy: A bill for an act titled: “An act amending Section 53-122, R.C.M., 1947, to provide for licensing of pickup camper or chassis-mount units.”</p>	<p>143, 209, 574.</p>
372	<p>Introduced by Greely, Lee, Lombardi, Menahan, Harper, McKittrick, Healy, Towe, Mehrens, Brand: A bill for an act entitled: “An act to amend the restaurant, bar and tavern wage protection act, removing the liability of lessors for unpaid wages of lessee’s employees, amending Sections 41-2002, 41-2003, 41-2004, 41-2005, and 41-2006, R.C.M., 1947, and repealing Sections 41-2007, 41-2009, and 41-2011, R.C.M., 1947.”</p>	<p>143, 337.</p>
373	<p>Introduced by Nelstead, Glennen, Jackson: A bill for an act entitled: “An act to amend Section 23-3014, R.C.M., 1947, relating to the cancellation of registry of persons convicted of a felony.”</p>	<p>143, 254, 264, 282, 283, 301, 792, 858, 859, 889.</p>
374	<p>Introduced by Nelstead, Glennen, Jackson: A bill for an act entitled: “An act relating to the time for city elections, amending Section 11-709 and Section 23-3302, R.C.M., 1947.”</p>	<p>143, 297, 304, 320, 330, 337, 362, 766, 826, SA-848, 942, 943, 971.</p>
375	<p>Introduced by Nelstead, Glennen, Jackson: A bill for an act entitled: “An act to amend Section 75-5912, R.C.M., 1947, changing the regular school election day to the first Friday of April.”</p>	<p>144, 297, 304, 320.</p>
376	<p>Introduced by Nichols, Laas, by request: A bill for an act entitled: “An act amending Section 4-406, R.C.M., 1947, defining ‘board’ and ‘state liquor store’; abolishing state liquor stores; providing for the retail sale of liquor in the original package; regulating the mark-up on liquor sold in the original package by licensees; repealing Sections 4-114, 4-115, 4-116, 4-117, 4-118, 4-119, 6-120, 4-121, 4-152, 4-405 and 4-406, Revised Codes of Montana, 1947, and repealing all acts and parts of acts in conflict therewith.”</p>	<p>144, 567, 580, 601.</p>

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377	Introduced by Lee, by request: A bill for an act entitled: "An act to amend Section 24-107, R.C.M., 1947, relating to guy insulation, by providing for the use of fiberglass insulators."	144, 295, 304, 320, 321, 349, 821, 876, 877, 889.
378	Introduced by Lombardi, Mehrens, Lee, Harper, Quilici, Perry, McKittrick, Asbjornson, Haines, Baeth, Lund, Campbell, Eggebrecht, Lynch, Healy, Kosena, Menahan, McGrath, Marbut: A bill for an act entitled: "An act to instruct the constitutional convention of the State of Montana to study a constitutional provision relating to the establishment and conducting of a lottery by the State of Montana for the purpose of funding Montana schools and highways."	144, 282, 294.
379	Introduced by Greely, Staigmillier: A bill for an act entitled: "An act excluding incidentals from those deductions which may be made from wages by an employer whenever such deductions are a part of the conditions of employment, by amending Section 41-1301, R.C.M., 1947."	144, 337.
380	Introduced by Worden, Zimmer, Nichols: A bill for an act entitled: "An act amending Sections 91-4418 and 91-4450, R.C.M., 1947, to provide for monthly reports and remittance to the State Board of Equalization of collections by county treasurers made under inheritance tax laws, and to provide for appropriate refunds by the State Board of Equalization."	144, 241, 250, 282, 283, 281, 600, 606, 622, 629.
381	Introduced by Haines, Worden: A bill for an act entitled: "An act amending Section 82-3320, R.C.M., 1947, relating to the policy regarding practice of architecture."	144, 225, 239, 248, 250, 281, 610.
382	Introduced by Bardanouve, Nichols: A bill for an act entitled: "An act to provide for the issue and sale by the State Board of Examiners of bonds for the purpose of constructing an addition to the employment security commission building located on the capitol building grounds; designating the funds from which said bonds shall be paid; providing for an employment security commission building interests and sinking fund; enumerating the powers and duties of the State Board of Examiners in carrying out the provisions of this act; authorizing the state land board to purchase said bonds with moneys from the long term investment funds; providing a savings clause; and providing an effective date."	144, 939, 948, 971, 978, 996, 999.

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383	Introduced by Bardanouve, Nichols: A bill for an act entitled: "An act to provide for the issue and sale by the State Board of Examiners of long term bonds for the purpose of erecting employment security commission office buildings within the State of Montana, designating the funds from which said bonds shall be paid; providing for employment security commission interest and sinking funds; enumerating the powers and duties of the State Board of Examiners in carrying out the provisions of this act; authorizing the State Land Board to purchase said bonds with moneys from the long term investment funds; providing a savings clause; and providing an effective date."	144, 939, 948, 971, 978, 986, 996, 997, 999.
384	Introduced by Lucas, Lanthorn: A bill for an act entitled: "An act defining the offense of violating the privacy of communications; providing the penalty for said violation; providing law enforcement officials with the authority to "wire tap" certain communications in certain instances and providing the procedure to be followed when making application for permission to intercept a wire or oral communication and setting forth the procedure to be used during and after completion of the communication interception; and further providing a penalty for unlawfully possessing any instrument, as defined in this act, which can be used in intercepting communications; and repealing Sections 94-3203, 94-3320, 94-3321, 94-3323, 94-35-220, 94-35-274, and 94-35-275, R.C.M., 1947."	145, 476, 518, 530, 536, 558, 752.
385	Introduced by Yardley: A bill for an act entitled: "An act to amend Section 23-3003, R.C.M., 1947, to give a deputy registrar twenty-five cents (25¢) compensation for each elector that he registered."	145, 310, 321, 350, 353, 392.
386	Introduced by Bardanouve, Mather, Forester, Cox, Harrison, Hall, Glennen, Selstad, Brand, Zimmer, Keller, Swanberg, Gunderson, Lee, Greely, Fasbender, Staigmiller, Devine, Norman, Campbell, Kvaalen, Christiansen, Lombardi, Quilici, Marks, Warfield, Mehrens, Marbut, Aspevig, Menahan, Kosena, Fagg, Lockrem, Robbins, Giesick, Nelstead, Hodges, Haines, Prevost, Watt, Harper, McKittrick: A bill for an act entitled: "An act amending Section 11-1829, R.C.M., 1947, to authorize the investment of police retirement fund money in time and savings deposits in banks, building and loan associations and savings and loan associations."	145, 395, 441, 503, 504.
387	Introduced by Bardanouve, Mather, Forester, Giesick, Cox, Harrison, Hall, Glennen, Keller, Gunderson, Brand, Zimmer, Selstad, Lee, Fasbender,	

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	Swanberg, Staigmilller, Devine, Greely, Kvaalen, Christiansen, Lombardi, Campbell, Norman, Marks, Quilici, Warfield, Mehrens, Marbut, Aspevig, Menahan, Kosena, Fagg, Lockrem, Robbins, Nelstead, Hodges, Haines, Prevost, Watt, McKittrick, Harper: A bill for an act entitled: "An act amending Section 11-1914 to authorize the investment of fire department relief association funds in time or savings deposits in banks, building and loan associations and savings and loan associations." ..	145, 395, 441, 503.
388	Introduced by Bardanouve, Mather, Forester, Brand, Cox, Harrison, Hall, Glennen, Keller, Gunderson, Selstad, Lee, Greely, Fasbender, Swanberg, Staigmilller, Devine, Norman, Campbell, Kvaalen, Christiansen, Lombardi, Quilici, Marks, Warfield, Mehrens, Marbut, Aspevig, Menahan, Kosena, Fagg, Lockrem, Robbins, Giesick, Nelstead, Hodges, Haines, Prevost, Watt, McKittrick, Harper, Zimmer: A bill for an act entitled: "An act amending Section 79-301, 79-302, 79-306, R.C.M., 1947, to authorize the deposit of public moneys in savings and loan associations." ..	145, 395, 441, 503, 504.
389	Introduced by Bardanouve, Mather, Forester, Brand, Cox, Harrison, Hall, Glennen, Swanberg, Gunderson, Selstad, Zimmer, Keller, Greely, Fasbender, Staigmilller, Norman, Lee, Campbell, Kvaalen, Christiansen, Lombardi, Quilici, Warfield, Mehrens, Marbut, Aspevig, Menahan, Kosena, Fagg, Lockrem, Giesick, Nelstead, Hodges, Haines, Prevost, Watt, McKittrick, Harper: A bill for an act entitled: "An act amending Section 16-2618, R.C.M., 1947, to authorize county, city or town treasurers to deposit public moneys in savings and loan associations." ..	145, 227, 395, 441, 503, 504.
390	Introduced by Laas, Wolf, Lien: A bill for an act entitled: "An act to amend Section 32-2148, R.C.M., 1947, eliminating the fifty (50) mile per hour speed limit for trucks over eight thousand (8,000) pounds, and providing a speed limit for such trucks at sixty-five (65) miles per hour on interstate and four lane highways and sixty (60) miles per hour on primary and secondary highways." ..	146, 365, 380, 425, 441, 543, 792, 834, 854, 855, 857, Ex. 1-7.
391	Introduced by East, by request: A bill for an act entitled: "An act to amend Section 87-106, R.C.M., 1947, which Section is a part of the unemployment compensation law, by changing the commencement date of disqualifications under Section 87-106 (a) and (b); deleting chargeback matters provided for in another section; and modi-	

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	<p>fyng the disqualification for leaving work; providing for the payment of benefits to an individual taking approved training in conformity with Public Law 91-373, employment security amendments of 1970; eliminating the denial of benefits by reason of cancellation of wage credits by repealing Sections 87-106 (g) and (j) in conformity with Public Law 91-373, employment security amendments of 1970."</p>	146, 250, 251.
392	<p>Introduced by East, by request: A bill for an act entitled: "An act to amend Section 87-109, R.C.M., 1947, which section is a part of the unemployment compensation law, by extending coverage to non-profit organizations in conformity with Public Law 91-373, employment security amendments of 1970; reducing the time required to qualify for a reduced rate from five years to three years; requiring reports to be filed and contributions to be paid for the computation period before less than the assigned maximum contribution rate can be assigned; providing for an exception in limiting amount of increase in contribution rate; increasing the tax base from \$3,000 per annum per employee to \$4,200, and providing an effective date in conformity with Public Law 91-373, employment security amendments of 1970; providing for employer appeals; deleting language no longer applicable; reducing average annual tax rate for 1972."</p>	146, 250, 264, 282, 283, 301, 681, 707, 709, 762, 878.
393	<p>Introduced by Ways and Means Committee: A bill for an act entitled: "An act amending Section 84-301, R.C.M., 1947, relating to classification of property for taxation."</p>	146.
394	<p>Introduced by Nichols: A bill for an act entitled: "An act to amend Section 75-6410, R.C.M., 1947, providing the qualifications of electors at school elections by changing the voting age from twenty-one to nineteen."</p>	146, 305, 321, 331, 337, 362, 671, 707, 709, 762, 878.
395	<p>Introduced by Keller, Nichols: A bill for an act entitled: "An act to amend Section 16-405, R.C.M., 1947, providing for registration of voters for elections, by changing the age of a qualified voter from twenty-one years of age to nineteen years of age."</p>	146, 305, 321, 350, 353, 392, 671, 707, 709, 762, 878.
396	<p>Introduced by Keller, Nichols: A bill for an act entitled: "An act to amend Section 11-3116, R.C.M., 1947, and Section 11-3229, R.C.M., 1947, providing penalties for giving false information concerning</p>	

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	qualifications as a voter for city elections under a commission or commission-manager form of government, by changing the age of qualified voter from twenty-one to nineteen years of age."	146, 306, 321, 331, 337, 350, 353, 393 , 671, 783, 786, 787, 818, 923.
397	Introduced by Keller, Nichols: A bill for an act entitled: "An act to amend Section 23-3016, R.C.M., 1947, providing for the close of registration of voters by changing the close of registration from forty days before any election to thirty days before any election."	146, 405, 425, 441, 515, 536, 543, 819, 827, SA-848, 889, 890, 891, 913.
398	Introduced by Keller, Nichols: A bill for an act entitled: "An act to amend Section 23-2701, R.C.M., 1947, providing qualifications of electors by reducing the age from twenty-one to nineteen, except that the age will be eighteen for elections for President and Vice President of the United States; by reducing the residency requirement to thirty days for elections for President and Vice President of the United States; and by repealing Sections 23-2702 and 23-2703, R.C.M., 1947, pertaining to qualifications of electors to vote on questions of incurring a state debt, issuing bonds, or levying a state tax."	147, 406, 441, 515, 567, 573, 681, 761, 763, 764, 788, 878.
399	Introduced by Keller, Nichols: A bill for an act entitled: "An act amending Sections 23-3013, 23-3509, 23-3610, 23-3709 and 23-3321, R.C.M., 1947, of the election laws pertaining to cancellation of registry for failure to vote, printing of candidate's name and party designation on ballot, marking precinct register book before elector votes, absentee ballots and declining nominations and vacancies before and after primary."	147, 310, 321, 350, 353, 393 , 671, 737 SA-777, 834, 854, 855, 857, Ex. 1-7.
400	Introduced by Campbell: A bill for an act entitled: "An act amending Section 82-3316, R.C.M., 1947, relating to authority to construct buildings, to grant the regents of the Montana University System authority to construct buildings not requiring legislative appropriation of moneys."	147, 298, 383.
401	Introduced by Judiciary Committee: A bill for an act entitled: "An act validating and declaring legal all levies and expenditures heretofore made and engagements entered into by counties, cities or towns for the purposes of the municipal airport	

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	act and all elections held in counties, cities or towns for the purpose of creating indebtedness for such purposes wherein a majority of the vote cast was in favor of such indebtedness; and providing for an effective date."	147, 296, 304, 320, 321, 349, 766, 823, 825, 857, Ex. 1-12.
402	Introduced by Bardanoue: A bill for an act entitled: "An act providing the state highway commission with the power to regulate the height of advertising signs."	147, 209, 952.
403	Introduced by Bardanoue: A bill for an act entitled: "An act to amend Sections 93-1205 and 95-1901, R.C.M., 1947, and Rule 48, M.R.C.P., relating to the number of persons on juries."	147, 309.
404	Introduced by Bardanoue: A bill for an act entitled: "An act to amend Section 23-3509, R.C.M., 1947, relating to no party designation for candidates for judicial office; and repealing Sections 23-4501, 23-4502, 23-4503, 23-4504, 23-4505, 23-4506, 23-4507, 23-4508, 23-4509, 23-4510, 23-4511, R.C.M., 1947."	147, 324.
405	Introduced by Selstad, Keller: A bill for an act entitled: "An act to create a consolidated retirement system for policemen in municipalities under the metropolitan police law and fully paid firemen who are employed after July 1, 1970."	147, 466.
406	Introduced by Himsl, Lundgren, Fasbender, Christiansen, McNamer: A bill for an act entitled: "An act amending Section 84-4905, R.C.M., 1947, to remove the exemption of dividends from capital stock of national banks in Montana from adjusted gross income for income tax purposes; and providing effective dates."	147, 608, 622, 653, 655, 704, 925, 969, 970, 989.
407	Introduced by C. Smith, Jackson, Swan, Robbins: A bill for an act entitled: "An act to amend Section 82-3001, R.C.M., 1947, to include the section of the livestock commission and the executive officer of the Livestock Sanitary Board on the interdepartmental advisory council."	148, 241, 250, 263, 264, 291, 651, 677, 678, 741, 866.
408	Introduced by Bardanoue, Ulmer: A bill for an act entitled: "An act relating to fees allowed to sheriffs for board of prisoners; amending Sections 16-2808, 16-2818, and 16-3802, R.C.M., 1947; repealing Sections 25-227 and 25-228, R.C.M., 1947."	148, 274, 283, 303, 304, 333, 651, 652, 859, 915, 941, 943, 971.

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409	Introduced by Ulmer: A bill for an act entitled: "An act to amend Section 84-6208, R.C.M., 1947, so as to provide that net proceeds tax on gas or petroleum shall be payable in two installments in accordance with Section 84-4103, R.C.M., 1947."	148, 444.
410	Introduced by Hall: A bill for an act entitled: "An act to amend Section 23-3022, R.C.M., 1947, as amended, to delete the provision that a person may not gain or lose residence while employed in the service of the United States or of the State of Montana."	148, 405, 441, 503, 505, 543, 792, 858, 859, 889.
411	Introduced by Mather, Bardanouve :A bill for an act entitled: "An act to amend Section 46-2322, R.C.M., 1947, providing grazing preferences appurtenant to dependent commensurate property."	148, 210, 220, 237, 239, 261, 511, 518, 526, 527, 563, 599.
412	Introduced by Nichols, Fitzgarrald: A bill for an act entitled: "An act amending Section 94-35-269, R.C.M., 1947, providing for the prosecution of careless, reckless and negligent hunters and for imposing penalties thereon."	148, 296, 304, 320, 321, 349, 766, 826, SA-848, 889, 890, 891, 913.
413	Introduced by Swan, by request: A bill for an act entitled: "An act providing for new office hours; repealing Sections 59-510(1) and 59-510(2), R.C.M., 1947."	148, 307.
414	Introduced by Towe, Yardley, Ellerd, Lockwood, Mehrens, Harper: A bill for an act entitled: "An act to provide that the shares of banking corporations be placed on assessment rolls at no greater percentage of full cash value than real estate."	148, 448.
415	Introduced by Towe, Baeth, Lynch, Lee, Harper, Quilici, Norman: A bill for an act entitled: "An act limiting the liability of an employer to subsequent injury only; providing compensation for combined effects of pre-existing permanent injury and subsequent injury; providing for notice; creating second injury and compensation fund; and defining terms."	148, 313, 444.
416	Introduced by Gunderson, Laas: A bill for an act entitled: "An act amending Section 1-201, R.C.M., 1947, to increase the daily and annual per diem allowance for members of the State Aeronautics Commission."	148, 182, 265, 283, 285, 340, 352, 375, 380, 429, 821, 876, 877, 889.

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417	Introduced by Glennen, Nelstead, Dye, Campbell, Forester, Healy, Cox: A bill for an act entitled: "An act providing for supplementing provisions of the special improvement district revolving fund to include sidewalk, curb and alley approach warrants; amending Sections 11-2269, 11-2270, 11-2271, and 11-2272, R.C.M., 1947."	148, 188, 254, 264, 287, 293, 318, 766, 834, 854, 855, 857, Ex. 1-7.
418	Introduced by Glennen, Nelstead, Campbell, Forester, Healy, Cox: A bill for an act entitled: "An act granting city and town councils authority to provide the means by which the reasonable costs of removal or demolition of a nuisance shall be assessed and become a lien upon the property upon which the nuisance existed in the event it shall become necessary for the city to remove or demolish said nuisance ;amending Section 11-935, R.C.M., 1947."	149, 188, 354.
419	Introduced by Giesick, Eggebrecht, Swan, Swanberg: A bill for an act entitled: "An act amending Sections 4-317, 4-324, and 4-347, R.C.M., 1947, and Section 4, Chapter 296, Laws of 1969, to make the current beer barrelage tax permanent; providing for severability; repealing all acts and parts of acts in conflict herewith."	149, 182, 628, 641, 684, 707, 736, 907, 956, 968, 989.
420	Introduced by Eggebrecht, Giesick, Swan, Swanberg: A bill for an act entitled: "An act to amend the Montana Beer Act and in particular Sections 4-311, 4-317, 4-319, 4-320, 4-324, 4-325, and 4-347, R.C.M., 1947, and Section 4, Chapter 296, Laws of 1969, relating to the beer barrelage tax, to require breweries to pay such tax direct to the Montana Liquor Control Board and to make the current beer barrelage tax permanent; making appropriate changes in matters to be reported to the Montana Liquor Control Board by brewers and wholesalers; providing for payments by beer wholesalers on their June 1971 sales and inventories if any part of this act is determined unconstitutional; and repealing all acts and parts of acts in conflict herewith."	149, 182.
421	Introduced by Nichols: A bill for an act entitled: "An act amending Sections 4-311, 4-319, 4-320, 4-324, and 4-325, R.C.M., 1947, to require that breweries operating outside the State of Montana make beer tax payments directly to the Montana Liquor Control Board; providing for payments by beer wholesale dealers on their June 1971 sales and inventories on hand as of June 30, 1971."	149, 188, 629.
422	Introduced by Devine, Kolstad: A bill for an act	

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	entitled: "An act to amend Section 64-207.1, R.C.M., 1947, relating to the opportunity of a publisher of libelous or defamatory matter to correct the same, by adding cable television systems to the list of such publishers; repealing all acts or parts of acts in conflict herewith."	149, 309, 321, 331, 337, 363, 631, 654, 655, 679, 721.
423	Introduced by Fagg, Snortland: A bill for an act entitled: "An act relating to the sale or distribution of harmful materials to minors."	149, 297, 466, 506, 523, 536, 558, 819, 828, SA-849, 822, 905, 944, 967, 968, 976, 988, 993.
424	Introduced by Haines, Mather: A bill for an act entitled: "An act to amend Section 40-3729, R.C.M., 1947, pertaining to the assignment of insurance policies; providing for the assignment of the incidents of ownership of group insurance certificates."	149, 225, 239, 248, 250, 281, 751, 783, 785, 787, 818, 923.
425	Introduced by Norman (By request): A bill for an act entitled: "An act to codify the law with regard to medical liability based on negligence and providing jury instructions relative thereto."	149, 309.
426	Introduced by J. Murphy: A bill for an act entitled: "An act relating to the inspection of passenger tramways; providing for creation of a passenger tramway safety board, term of office, and compensation of board members, powers and duties of the board, passenger tramway registration, registration fees, and judicial review."	149, 326, 352, 390, 395, 430, 793, 827, SA-849, 915, 941, 943, 974.
427	Introduced by Worden, Haines, Campbell, Ainsworth, Healy, Watt, Norman: A bill for an act entitled: "An act to require a permit from the board of county commissioners for construction, alteration or removal of buildings in areas where no city permits are issued and where the value exceeds one thousand dollars (\$1,000) and providing a penalty."	150, 187, 241, 250, 258, 274, 283, 285, 303.
428	Introduced by Patrick, Falkenstern, Brand, Lanthorn, Jackson, Weeding, Fagg: A bill for an act entitled: "An act to amend Section 26-133, R.C.M., 1947, requiring the fish and game commission to pay taxes on lands it acquires as if the lands were	

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	still owned and operated as farms and ranches by private persons."	150, 226, 239, 248, 402, 441, 515, 536, 544.
429	Introduced by Mather, Scott: A bill for an act entitled: "An act to establish uniform construction standards in mobile homes."	150, 411, 441, 515, 518, 544, 793, 827, SA-849, 915, 974.
430	Introduced by Fagg, Patrick: A bill for an act entitled: "An act to amend Section 75-6323, Revised Codes of Montana, 1947, relating to school extra-curricular fund for pupil functions; and providing for an increase in the audit fee to one hundred dollars (\$100.00) per day per man the state examiner may charge, and such audit fee deposited to the general fund of the state."	150, 219, 411, 441, 515, 518, 544, 752, 780, 822, SA-850, 889, 891, 913, 942, 943.
431	Introduced by Fagg, Patrick: A bill for an act entitled: "An act to amend Section 11-1923, providing for an increase in the examination fees the state examiner may charge fire department relief associations."	150, 219, 411, 441, 515, 518, 545.
432	Introduced by Fagg, Patrick: A bill for an act entitled: "An act to amend Section 5-908, R.C.M., 1947, to provide for fees to be paid by banks, investment companies and trust companies for credit to the general fund, consisting of a four hundred dollar (\$400) supervision fee to be paid on or before June 30 of each year, and an examination fee of twelve cents (12¢) per one thousand dollars (\$1,000) of total assets as of the date of the examination to be paid at the conclusion of the examination; to amend Sections 82-1002, 82-1008, 89-2107, 5-910, R.C.M., 1947, to increase the regular examination charges for counties, cities, towns, county free high schools, school districts, rural fire districts to one hundred dollars (\$100) per day for each person engaged in the examination and to require that all moneys collected be credited to the general fund of the state; to repeal Sections 5-903, 5-904, 5-906, 5-907, R.C.M., 1947."	150, 219, 412, 441, 515, 536, 545, 752, 781, 822, SA-850, 942, 943, 974, Ex. 1-7.
433	Introduced by Haines: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M., 1947,	

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	authorizing group insurance for employees of the state, counties, cities and towns."	150, 354, 364, 390, 391, 502, 505, 545, 670.
434	Introduced by Haines: A bill for an act entitled: "An act relating to table wines; providing for wholesaler and retailer licenses; providing a tax on table wines; providing fees for licenses; providing for administration of this act by the Montana Liquor Control Board."	150, 533, 563, 567, 584, 585, 590, 601, 612, 907, 927, SA-929, 969, 970, 989.
435	Introduced by Harrison, Menahan: A bill for an act entitled: "An act to provide that contributory negligence shall not be a bar to recovery of damages and that the jury may diminish damages; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	150, 371.
436	Introduced by Harrison, Menahan: A bill for an act entitled: "An act to amend Section 92-822, R.C.M., 1947, to provide for jury trial upon questions of fact of disability, amount of disability and question of fact of coverage, and such findings to be binding upon the court."	150, 371.
437	Introduced by Mather: A bill for an act entitled: "An act amending Section 93-5010, R.C.M., 1947, providing for peremptory challenges."	151, 325, 337, 350, 353, 430, 792, 858, 859, 889.
438	Introduced by Swanberg, Parrish, Fagg, Schoonover, Nelstead, Yardley: A bill for an act entitled: "An act to amend Section 26-104, R.C.M., 1947, giving the fish and game commission the power to regulate motor-driven boats on all public fishing reservoirs, public lakes, rivers and streams."	151, 322, 337, 351, 353, 430, 766, 823, 824, 825, 857, Ex. 1-12.
439	Introduced by Greely, Swanberg, McKittrick, Bennett: A bill for an act entitled: "An act to amend Sections 11-1704, 11-1709, 11-1710, and 11-1711, R.C.M., 1947, to increase the pay of municipal judges and include the Montana rules of civil procedure in the act."	151, 352, 359.
440	Introduced by Mehrens, Menahan, Kosena: A bill for an act entitled: "An act amending Section 4-117, R.C.M., 1947, to provide for a ten per cent (10%) reduction to retail liquor licensees on quantity purchases from Montana state liquor stores."	151, 444.

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441	Introduced by Keller: A bill for an act entitled: "An act to amend Section 11-3810, R.C.M., 1947, to change from two (2) to three (3) the number of appointees made by the mayor of a city and eliminating the selection of the ninth (9th) member by the other eight (8) appointed members of the city-county planning board."	151, 254.
442	Introduced by Kvaalen, Himsl, Brand: A bill for an act entitled: "An bill to amend Section 80-1906, R.C.M., 1947, by providing for a revolving fund to be administered by the warden known as the 'parole rehabilitation fund'; providing such fund be composed of donations, gifts, and such money appropriated from the general fund; providing for loans to paroled prisoners from such funds."	151, 264, 283, 303, 304, 333, 610.
443	Introduced by Ainsworth, Schoonover: A bill for an act entitled: "An act to require surveyors to file survey information vital to property security and to establish uniform filing procedures for plats of tracts of land created under Section 11-614, Revised Codes of Montana, 1947, relating to small and irregular shaped tracts and the preparation and filing of records of survey; fees for filing records of survey; the establishment of rules and regulations for filing records of survey, and providing a separability provision."	157, 410, 441, 515, 525, 567.
444	Introduced by Glennen, Laas: A bill for an act entitled: "An act to amend Section 32-3302.1, R.C.M., 1947, pertaining to alternative licensing fees on truck-trailer combinations; providing that a trailer or semitrailer entering the state and licensed under said section may be moved in the local delivery zone without payment of additional fees."	157, 271, 283, 287, 303, 304, 334, 751, 783, 785, 787, 818, 995.
445	Introduced by Glennen, Laas: A bill for an act entitled: "An act to amend Section 32-1123, R.C.M., 1947, relating to maximum dimensions of motor vehicles; providing for a maximum width for vehicles of one hundred two inches and for a maximum overall length of seventy feet."	157, 272, 993.
446	Introduced by Watt, Marbut: A bill for an act entitled: "An act to amend Sections 75-6207, 75-6208, Revised Codes of Montana, 1947, relating to an increase in the employer contribution to the pension accumulation fund and further relating to an increase in the minimum retirement benefit paid by the Teachers Retirement System."	157, 263, 394, 502, 505, 546, 821, 876, 877, 889.

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447	Introduced by Towe, Brand, Lockwood: A bill for an act entitled: "An act amending Section 53-110, R.C.M., 1947, relating to the filing of liens on a motor vehicle, the procedure and fees therefor, and lien rights on a motor vehicle."	158, 322, 337, 359, 364, 431.
448	Introduced by Zimmer, Worden, Nichols: A bill for an act entitled: "An act to amend Section 59-1001, R.C.M., 1947, to change the waiting period required before public employees earn vacation from twelve (12) months to six (6) months, and to amend Section 59-1002, R.C.M., 1947, to provide that accumulated vacation credits cannot exceed thirty (30) working days as of the end of any calendar year."	158, 340, 352, 375, 380, 431, 681, 707, 708, 709, 762, 878.
449	Introduced by Zimmer, Worden, Nichols: A bill for an act entitled: "An act to amend Sections 82-1917 and 82-1918, R.C.M., 1947, relating to the manner of letting contracts for the requisition for supplies and extending the period for which contracts may be made."	158, 340, 352, 359, 375, 380, 431, 821, 876, 877, 889.
450	Introduced by Marbut, Haines, Cox, Schoonover, Norman, Snortland, Warfield, Olson, Zody: A bill for an act entitled: "An act amending Sections 75-7806 and 75-7816, R.C.M., 1947, to provide for education of mentally retarded to age twenty-five (25)."	158, 307, 321, 331, 337, 363, 671, 707, 708, 709, 762, 878.
451	Introduced by Fagg (by request): A bill for an act entitled: "An act providing for personal and property protection motor vehicle insurance with benefits payable without regard to fault; repealing all acts and parts of acts inconsistent herewith; and providing an effective date."	158, 536.
452	Introduced by Towe, Brown: A bill for an act entitled: "An act to omit the age requirement as qualification for professional licenses or certificates; amending Sections 66-603, 66-803, 66-1027, 66-1506, 66-1819, 66-1820, 66-2204, 66-2502, 66-2708, 66-3103, 93-2001."	158, 188, 403, 441, 515, 536, 546, 681, 783, 786, 787, 818, 923.
453	Introduced by Towe, Brown, Greely: A bill for an act entitled: "An act to change age requirements to eighteen; amending Sections 11-1814, 11-1817, 16-2401, 16-2402, 16-3203, 31-127, 31-128, 31-135, 40-3308, 40-3327, 40-4705, 40-4807, 40-5321, 66-	

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	1928, 66-1929, 67-1801, 67-1804, 67-1807, 69-2701, 71-1525, 77-121, 91-1702, 91-3302, 93-9912, R.C.M., 1947."	158, 187, 402, 506, 522, 546, 766, 822, SA-851, 942, 943, 974.
454	Introduced by J. Murphy, by request: A bill for an act entitled: "An act prohibiting the theft of a firearm and prescribing the penalty therefor."	158, 325.
455	Introduced by Forester, Warfield, Kendall, Clemow, Fleming, Marks, Lundgren: A bill for an act entitled: "An act relating to the teaching profession, recognizing the right of teachers to join organizations of their choosing, promoting co-operation and discussion between school boards and teachers, establishing collective bargaining procedures, recognizing bargaining representatives, allowing school boards to employ attorneys, providing for probationary status before employment tenure begins, and permitting refusal to rehire unneeded teachers."	158, 397, 441, 523, 525, 536, 547, 819, 828, 860, 907, 973, 974, 976, SA-979, 993, 994, 996.
456	Introduced by Zimmer, Lanthorn, Campbell: A bill for an act entitled: "An act to amend Section 82-1202.1, R.C.M., 1947, providing for licensing of business which manufacture or sell mobile homes and recreational vehicles."	158, 219, 411.
457	Introduced by Christiansen, Laas, Weeding, Giesick, Schoonover, Lund, Kvaalen, Cox, Zimmer, Gunderson, Johnston: A bill for an act entitled: "An act amending Section 75-8705, R.C.M., 1947, providing for educational opportunity at University System units for Indian students of at least one-quarter ($\frac{1}{4}$) degree Indian blood."	158, 338, 352, 390, 395, 432, 600, 620, 621, 629, 670, 921, 922, 925, 969, 970, 989.
458	Introduced by Selstad, Johnston, Keller, Campbell, Dye: A bill for an act entitled: "An act relating to the additional county-wide levy to cover deficiencies in state equalization aid for the foundation program of the public schools; providing that no tax shall be levied to cover anticipated deficiencies in state equalization aid in the then current fiscal year; further providing that the State Superintendent of Public Instruction shall include in his biennial report full and complete information as to the amount of money available for state equalization aid in the balance of the fiscal year; and providing that, unless the Legis-	

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	lative Assembly appropriates funds sufficient to meet any deficiency in state equalization aid, an additional tax shall be levied by the Board of County Commissioners to cover the same; amending Section 72-6906, R.C.M., 1947, and repealing Section 75-6921, R.C.M., 1947."	159, 270, 285.
459	Introduced by Healy, Baeth, Brand, Lee, Lombardi, Quilici, Lynch, Mehrens, Christiansen, Kosena, Harper, Towe, Menahan, Yardley, Johnston, Fasbender: A bill for an act entitled: "An act to amend Section 92-706, R.C.M., 1947, to allow additional time for medical services in proper cases."	159.
460	Introduced by Harrison: A bill for an act entitled: "An act to empower the Board of County Commissioners to create a Youth Center district upon the petition of a certain percentage of the resident landowners of the district; creating a youth center board appointed by the Board of County Commissioners; and providing a three mill levy to finance the district."	159, 351, 352, 375, 387.
461	Introduced by Forester: A bill for an act entitled: "An act defining the authority of the Regents of the Montana University System relating to those persons described as academic and professional staff."	159, 208, 220, 237, 244.
462	Introduced by Forester: A bill for an act entitled: "An act to amend Section 11-1024 by including long term disability insurance and defining how monies may be paid for premiums from state appropriations."	159, 367, 380, 502, 514, 525, 536, 547, 829.
463	Introduced by Shelden, Jackson, Burnett, Gunderson, Kendall: A bill for an act entitled: "An act amending Sections 75-6608 and 75-6905, R.C.M., 1947, relating to the size of an elementary or high school that must be approved as isolated in order to have total participation by the state and county in the financing of its foundation program."	159, 341, 352, 375, 380, 432, 600.
464	Introduced by Shelden, Jackson, Burnett, Gunderson, Kendall: A bill for an act entitled: "An act amending Sections 75-6905 and 75-6906, R.C.M., 1947, relating to high school isolation approval under the provisions of Section 75-6608, R.C.M., 1947, for participation in financing of the total foundation program by the state and county."	159, 341, 352, 375, 380, 432, 600.
465	Introduced by Lanthorn, Healy, Lee, Fagg, Marbut, Harper, Lombardi, Lynch, Perry, Greely, Towe,	

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	Quilici, Brown, Haines, Bennett: A bill for an act entitled: "An act to amend Section 11-1832, R.C.M., 1947, to increase the minimum wage of police in first and second class cities; and, to increase the number of years and percentage of longevity pay."	159, 465, 466.
466	Introduced by Brown, Warfield, Lockwood, Ellerd: A bill for an act entitled: "An act amending Section 75-8511, R.C.M., 1947, by deleting Sections (3) and (4) in their entirety."	159, 199, 382, 394, 502, 505, 547, 792, 858, 859, 889.
467	Introduced by Lanthorn: A bill for an act entitled: "An act to amend Section 54-129, R.C.M., 1947, relating to the definition of dangerous drugs."	160, 509.
468	Introduced by Sheldon, Jackson, Burnett, Gunderson, Kendall: A bill for an act entitled: "An act amending Section 75-6608, R.C.M., 1947, relating to the procedure for the approval of the isolation of an elementary or high school to require the approval of the Superintendent of Public Instruction."	160, 341, 352, 359, 375, 380, 433, 600.
469	Introduced by Yardley: A bill for an act entitled: "An act to amend Section 68-501, R.C.M., 1947, relating to the Public Employees' Retirement Board of Administration, to provide that the three (3) board members who are public employees shall be selected by the Governor from a panel of six (6) to be elected by members of the Retirement System."	160, 177, 340.
470	Introduced by Burnett, Perry, Warfield, Yardley: A bill for an act entitled: "An act amending Sections 79-2302 and 79-2308, R.C.M., 1947, to require at the request of the Legislative Assembly, the legislative auditor to audit all associations, corporations or agencies connected with a public purpose, and creating a new section in Title 79, Chapter 23 numbered 79-2314, R.C.M., 1947, providing audit standards and objectives for associations, corporation or agencies connected with a public purpose and requiring the audit charge to be paid by the association, corporation or agency connected with a public purpose audited."	160, 307, 321, 331.
471	Introduced by Fagg, Bradley: A bill for an act entitled: "An act requiring a state license and permit for mining exploration activities and requiring a performance bond for reclamation of the landscape following exploration activities; and providing for an appeal procedure."	160, 498.
472	Introduced by Schoonover, Patrick, Kendall, Burnett: A bill for an act entitled: "An act relating to the redemption of city, town, county and school dis-	

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	strict bonds; amending Sections 11-2304, 16-2011, and 75-7107, R.C.M., 1947, to provide for such redemption and to eliminate maximum interest rate provisions contained in these sections; and providing an effective date."	160, 273, 283, 285, 297, 506, 518, 530, 536, 562, 820.
473	Introduced by Bardanouve, Kolstad, East: A bill for an act entitled: "An act to provide a deductible plan of insurance for state buildings and their contents."	160, 444, 506, 525, 536, 548, 651, 677, 678, 741, 866.
474	Introduced by Marbut, Ulmer, Haines: A bill for an act entitled: "An act providing for a state home-owner grant act."	160, 448.
475	Introduced by Cox by request: A bill for an act entitled: "An act relating to elections upon questions which concern or may concern the creation of a public debt or liability and the qualifications of persons petitioning for and voting at such elections; amending Sections 23-2701, 23-2702, 23-2703, 23-3012, 23-4201, 11-2217, 11-2275, 11-2306, 11-2310, 11-2404, 16-2021, 16-2022, 16-2026, and 93-2612, R.C.M., 1947; prescribing a period of limitation upon actions and defenses raising an issue as to such qualifications; and providing an effective date."	160, 297, 472, 518, 533, 562, 672, 737, SA-777, 876, 877, 882, 904.
476	Introduced by Cox, Lucas, Mather, Darrow, Scott, Nelstead, Forester, Fagg, Towe, Campbell, Giesick, Glennen, Ainsworth, Lockrem, Lanthorn, Bennett, Keller, Selstad: A bill for an act entitled: "An act appropriating four million dollars (\$4,000,000) from the General Fund to the State Board of Health for matching funds to local governments for construction of water pollution control facilities subject to Section 69-4808.1, R.C.M., 1947."	160, 750, 762, 782, 788, 810, 987, 994, 995, 996.
477	Introduced by Bardanouve: A bill for an act entitled: "An act to amend Section 93-1304, R.C.M., 1947, exempting from jury duty a person holding a state public office, and deleting the reference to an almshouse."	161, 325, 337, 350, 353, 433, 821, 876, 877, 889.
478	Introduced by Towe, J. Murphy: A bill for an act entitled: "An act to amend Section 23-3001, R.C.M., 1947, to require county by county compilation of	

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	persons reaching voting age by the Montana Highway Patrol."	161, 325, 337, 359, 364, 433, 766, 823, 824, 825, 857, Ex. 1-7.
479	Introduced by Weeding, Christiansen, Fagg, East: A bill for an act entitled: "An act amending Sections 69-3301, through 69-3307, R.C.M., 1947, to include geological exploration and specifying how "shot holes" and other exploratory holes shall be reclaimed, and transferring the functions and duties of the county clerks and recorders and county attorneys to the Montana Water Resources Board."	161, 365.
480	Introduced by Greely, Harrison, McKittrick: A bill for an act entitled: "An act providing for the appointment of a Montana Law Enforcement Academy Advisory Council; providing for the administration of this act and adoption of necessary regulations by the Attorney General; providing for compensation of the members of the advisory council; and correcting the code reference to the Montana University System"; amending Section 75-5203, 75-5205, and 75-5206, R.C.M., 1947, and creating new sections of said codes designated as Sections 75-5205.1 and 75-5205.2."	161.
481	Introduced by Bardanouve, Bradley, Brown, Fasbender, Christiansen: A bill for an act entitled: "An act to amend Section 75-5602, R.C.M., 1947, relating to the membership of the Board of Education."	161, 283, 293, 303, 304, 334, 622, 792, 858, 859, 889.
482	Introduced by Dye, Wolf: A bill for an act entitled: "An act to amend Sections 32-3922, 32-3925, 32-3926, 32-3927 and 32-3929, R.C.M., 1947, enacted as Chapter 212, L. 1969 providing for payment of direct losses of displaced persons resulting from moving, discontinuing a business or farm, payment of expenses in seeking replacement, providing for amounts and limits of payments, providing for matching funds to certain dwellings not eligible under certain provisions of this act and providing an effective date."	161, 323, 337, 350, 353, 434, 793, 827, SA-851, 942, 943, 971.
483	Introduced by Lynch, Lee, Harper, Quilici, Lombardi, Healy, Yardley, Eggebrecht, Fagg, Giesick, Lundgren, Clemow, Dye: A bill for an act entitled: "An act to authorize the county commissioners to establish rules and regulations to control domestic animals."	161, 258.
484	Introduced by Kvaalen, Nichols, Ulmer, Schoonover, Christiansen: A bill for an act entitled: "An act	

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	to provide for the functioning of legislative standing committees during the interims; providing an effective date."	161, 458, 506, 522, 548, 767.
485	Introduced by Parrish, Marbut, Zody: A bill for an act entitled: "An act exempting certain private Montana nonprofit corporations from providing a public works contractor's bond and a public bidder's bond; adding Sections 6-405 and 6-502, R.C.M., 1947."	161, 295.
486	Introduced by Selstad: A bill for an act entitled: "An act to amend Section 94-2701, R.C.M., 1947, defining larceny to include leased or rented property which hasn't been returned."	162, 353.
487	Introduced by McKittrick, Greely, Devine: A bill for an act entitled: "An act to amend Section 11-2201, R.C.M., 1947, to provide that city or town councils may levy and assess costs of installing and maintaining street lighting along certain streets or public highways upon properties not within the city limits."	162, 323, 337, 350, 353, 434, 766, 823, 824, 825, 857, Ex. 1-12.
488	Introduced by Healy, Lockwood, Lee, Lombardi, Kosena, Mehrens, Lynch, Harper, Quilici, Whitney: A bill for an act entitled: "An act providing for the Highway Patrol Board to have eye examinations held in county seats."	162, 311.
489	Introduced by Healy, Marbut, Lombardi, Lee, Haines, Jackson, Cox, Nelstead, Harper, Menahan, Quilici, Lynch: A bill for an act entitled: "An act amending Sections 75-7805 through 75-7807, R.C.M., 1947, to include trainable mentally retarded children."	162, 307, 321, 331, 337, 363, 671, 707, 708, 709, 762, 878.
490	Introduced by Laas: A bill for an act entitled: "An act to amend Sections 35-128 and 35-129, R.C.M., 1947, relating to housing authorities; further defining the area of operation of county housing authorities, and clarifying the power of county housing authorities to undertake housing projects and to contract with the federal government upon the approval of the Board of County Commissioners; and to provide an effective date."	162, 253, 264, 282, 287, 293, 319, 819, 828, 829, 872, 879, 882, 906, 923, 926, 940, 972, 974, 976, 986, 993, 996, 999.
491	Introduced by Healy, Quilici, Mehrens, Lee, Menahan, Kosena, Harper, Lombardi, Lynch, Giesick,	

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	Clemow: A bill for an act entitled: "An act amending Section 75-7001, R.C.M., 1947, to provide for transportation for school children one and one-half (1½) miles from school."	162, 307.
492	Introduced by Healy, Perry, Kosena, Lee, Asbjornson, Brand, Harper, Lombardi, Quilici, Lynch: A bill for an act entitled: "An act to amend Section 84-4107, R.C.M., 1947, relating to the issuance of a receipt for payment of taxes by the county treasurer."	162, 273, 283, 303, 304, 334, 610.
493	Introduced by Selstad, Gunderson: A bill for an act entitled: "An act authorizing the Fish and Game Commission to establish checking stations and requiring hunters and fishermen to stop at such stations and report game in their possession."	162, 402, 498.
494	Introduced by J. Murphy, Zimmer: A bill for an act entitled: "An act to amend Section 4-403, R.C.M., 1947, relating to the issuance of retail liquor licenses; defining the terms, hotel, motel and lodge; providing for limited retail liquor licenses to hotels, motels and lodges; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	162, 324.
495	Introduced by J. Murphy, Zimmer: A bill for an act entitled: "An act to amend Section 4-333, R.C.M., 1947, relating to the issuance of retail beer licenses, limiting the number of off-premises beer licenses, lapse and cancellation of the same; defining the terms hotel, motel and lodge; providing for limited retail beer licenses to hotels, motels and lodges; repealing all acts and parts of acts in conflict herewith and providing an effective date."	162, 324.
496	Introduced by Towe, Nelstead, Fasbender, Norman, Cox: A bill for an act entitled: "An act to amend Section 75-6303, R.C.M., 1947, to allow a judge of a district court to excuse a child from compulsory school attendance if he deems it in the best interest of the child."	162.
497	Introduced by Towe, Nelstead, Norman: A bill for an act entitled: "An act providing for non-profit organizations to establish district youth guidance homes for delinquent and other children; providing for commital of juvenile delinquents and other juveniles to district youth guidance homes; providing authority to Department of Institutions to make rules and regulations for the operation of such homes."	163, 368, 380, 441, 548, 683, 779, 821, 825, 866, 897, 905, 956, 968, 989.

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498	Introduced by Towe, Nelstead, Fasbender, Norman, Cox: A bill for an act entitled: "An act to amend Section 93-701-4, R.C.M., 1947, by providing for the creation of a confidential relationship between student and school personnel."	163, 622.
499	Introduced by Towe, Norman, Mather, Parrish: A bill for an act entitled: "An act amending Section 10-622, R.C.M., 1947, relating to appointment, removal, salaries and qualifications of probation officers."	163, 441, 506, 523, 549, 820, 827, 860, 908, 914, 925, 956, 968, 989.
500	Introduced by Fagg (by request): A bill for an act entitled: "An act providing for visual control by ecological standards of stream banks and lake shores, clearance of detrimental conditions, designation of streams and setting of standards of development."	163, 498.
501	Introduced by Fagg: A bill for an act entitled: "An act to convert overhead existing electrical and communication facilities to underground; and to provide for future electrical and communication facilities to be placed underground."	163, 396, 414, 441, 523, 536, 559, 821, 876, 877, 889.
502	Introduced by Towe, T. L. Murphy: A bill for an act entitled: "An act to reapportion the House of Representatives and the Senate of the Montana Legislature to provide for eighty (80) single-member legislative districts and forty (40) single-member Senate districts, and providing that electors in a Senate district may choose to elect two (2) House members-at-large."	163, 506.
503	Introduced by Towe, Bennett: A bill for an act entitled: "An act pertaining to commitment of mentally ill persons and repealing Section 38-201, R.C.M., 1947."	163, 276, 518, 530, 562, 751.
504	Introduced by Towe, Nelstead: A bill for an act entitled: "An act to amend Section 25-604, R.C.M., 1947, to omit the establishing of minimum salaries for undersheriffs and deputy sheriffs."	163, 351.
505	Introduced by Lucas, East, Nelstead, Glennen, Lombardi, Lee, Baeth, Edland, Clemow, J. Murphy, Marbut, Sverdsten: A bill for an act entitled: "An act to amend Section 87-103, R.C.M., 1947, which section is a part of the Unemployment Compensation Law, by providing for the weekly benefit amount to equal one twenty-sixth (1/26) of the high-quarter earnings; fixing the minimum weekly benefit amount at \$12; increasing the maximum weekly benefit amount to \$47; establishing effec-	

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	tive dates; increasing the maximum weekly benefit amount to \$52 effective January 1, 1972; adjusting the minimum qualifying wage for individuals with high-quarter wages in excess of wages necessary to qualify for the maximum weekly benefit amount; deleting unnecessary language.”	163, 250, 264, 282, 283, 302, 671, 783, 786, 787, 818, 923.
506	Introduced by Campbell, Brand, Knudsen, Schoonover, Giesick: A bill for an act entitled: “An act relating to the termination of services of non-tenure teachers and providing for a hearing before the board of trustees.”	163, 383.
507	Introduced by Towe: A bill for an act entitled: “An act to secure citizens a right of action to protect the natural resources of the state and to insure enforcement of regulations to protect the natural environment.”	164, 187, 413, 506, 516.
508	Introduced by Brand, Healy, Warfield, Himsl, Campbell, Lund: A bill for an act entitled: “An act amending Section 72-143, R.C.M., 1947, providing that the Board of Railroad Commissioners provide a copy of the annual report to be mailed to the Secretary of the Department of Transportation; amending Section 72-150, R.C.M., 1947, providing that the rules and regulations of the board regarding equipment of cars, trains, engines, health and sanitation be co-extensive with the provisions of the Department of Transportation; amending Section 72-151, R.C.M., 1947, providing that the rules and regulations of the board concerning examination, inspection and repair of brake equipment be co-extensive with the requirements of the Department of Transportation; amending Section 72-220, R.C.M., 1947, providing that the president or other officer of any railroad operating a line within the State of Montana provide a copy of the annual report to the Board of Railroad Commissioners, ex officio Public Service Commission of the State of Montana.”	164, 403, 441, 515, 536, 549, 681, 761, 763, 764, 788, 878.
509	Introduced by Menahan, by request: A bill for an act entitled: “An act to amend Sections 9-209 and 9-209.3, R.C.M., 1947, pertaining to budget and tax levy of the Board of Cemetery Trustees.”	164, 351.
510	Introduced by Johnston, Baeth, Kendall: A bill for an act entitled: “An act to require public liability and property damage insurance in certain circumstances in credit transactions involving motor vehicles.”	164, 353, 364, 390, 424, 441, 549.

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511	Introduced by Johnston, Baeth, Brand: A bill for an act entitled: "An act to eliminate discrimination against children or against the bearing of children in dwelling houses."	164, 380.
512	Introduced by Harrison, Scott: A bill for an act entitled: "An act amending Section 53-422, R.C.M., 1947, to increase the minimum proof of financial responsibility from ten thousand dollars (\$10,000.00) to twenty-five thousand dollars (\$25,000.00) because of bodily injury or death of one person in any one accident, and to increase from twenty thousand dollars (\$20,000.00) to fifty thousand dollars (\$50,000.00) the amount required for bodily injury or death of two (2) or more persons in any one accident."	164, 369, 380, 425, 441, 550, 767.
513	Introduced by Knudsen, Burnett, Sverdsten: A bill for an act entitled: "An act to require every newspaper published at least five (5) times per week to aid in the collection and disposal or recycling of solid wastes in the communities in which they are published."	164, 323.
514	Introduced by Harrison, Scott: A bill for an act entitled: "An act amending Section 53-432, R.C.M., 1947, to increase the satisfaction of judgment from the sum of ten thousand dollars (\$10,000.00) to the sum of twenty-five thousand dollars (\$25,000.00) when the same has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as a result of any one accident, and to increase the amount from the sum of twenty thousand dollars (\$20,000.00) to fifty thousand dollars (\$50,000.00) when the same has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one accident."	164, 369, 380, 425, 441, 550, 767.
515	Introduced by Giesick: A bill for an act entitled: "An act relating to legal jeopardy; to provide that no person shall be placed in legal jeopardy for acts of self defense or in aid of another in certain cases; to provide for indemnification or reimbursement; providing an effective date."	165, 371.
516	Introduced by Harrison, Scott: A bill for an act entitled: "An act amending Section 53-438, R.C.M., 1947, to increase the minimum proof of financial responsibility from ten thousand dollars (\$10,000.00) to twenty-five thousand dollars (\$25,000.00) because of bodily injury to or death of one person in any one accident, and to increase from twenty thousand dollars (\$20,000.00) to fifty thousand dollars (\$50,000.00) the amount required	

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	for bodily injury to or death of two (2) or more persons in any one accident."	165, 370, 380, 502, 517, 550.
517	Introduced by Yardley: A bill for an act entitled: "An act amending Section 75-6503, R.C.M., 1947, to reduce the population classification of first (1st) class elementary districts from eight thousand (8,000) to six thousand five hundred (6,500)."	165, 355, 364, 390, 395, 434, 767, 787, 788, 907, 956, 968, 989.
518	Introduced by Dye, Aspevig: A bill for an act entitled: "An act providing simplified administration procedures in the taxation of aviation gasoline for allocation to the Aeronautics Commission by subjecting such gasoline to a one cent per gallon tax rather than the present seven cents and by allowing no deduction, refund, or exemption from the tax; deleting aviation gasoline from those provisions of the Gasoline License Tax Laws which provide evaporation allowances and credit refunds; providing a definition of 'aviation dealer'; providing a new section numbered 84-1855.1, R.C.M., 1947, imposing a penalty; amending Sections 84-1846, 84-1847, 84-1849, 84-1851, 84-1853, and 84-1855, R.C.M., 1947; repealing Section 84-1848, R.C.M., 1947, pertaining to aviation gasoline tax exemption certificates."	165, 210, 220, 237, 239, 262, 652, 687, SA-732, 783, 786, 787, 818, 924.
519	Introduced by Fagg, Marbut, Burnett, Weeding, Edland, Forester, Knudsen: A bill for an act entitled: "An act to require all airports to have the name of the airport either on the runways or on the hangars."	165, 283.
520	Introduced by Warfield: A bill for an act entitled: "An act amending Sections 23-3201, 23-3202, 23-3203, 23-3204, and 23-3206, R.C.M., 1947, to include election clerks similar to the appointment and instruction of election judges."	165, 325, 337, 350, 353, 435, 671, 737, SA-777, 823, 824, 825, 857, Ex. 1-7.
521	Introduced by Swanberg, Greely, Devine: A bill for an act entitled: "An act to amend Sections 11-2245, 11-2246, 11-2251 and 11-2252, R.C.M., 1947, to provide that one hundred percent (100%) of all charges for the installation, maintenance and electrical current for street lights installed under special lighting districts may be assessed against the property embraced within said special improvement lighting district, leaving the discretion to	

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	assess a lesser amount resting with the city or town council."	165, 354, 364, 390, 395, 435, 681.
522	Introduced by Christiansen, Fasbender, Bardanouve: A bill for an act entitled: "An act to submit to the qualified electors of Montana at the November, 1972 general election the question of whether or not a sales tax should be levied by the legislature for the purpose of partially financing public expenditures."	165, 284.
523	Introduced by Brand: A bill for an act entitled: "An act repealing Chapter 377, Laws of 1969, relating to the issuance and sale of bonds for the purpose of acquiring a site for and erecting and equipping a State Highway Commission Headquarters Building and Complex."	165, 412, 413, 442, 506, 523, 525.
524	Introduced by Marbut, Fasbender, Bardanouve, Darrow, Himsl, Watt, Kvaalen, Lucas: A bill for an act entitled: "An act amending Sections 43-709, 43-714 and 43-715, R.C.M., 1947, involving the composition of members, expenses and organization of the Legislative Council."	166, 409, 441, 523, 536, 551, 767.
525	Introduced by Bardanouve, Watt, Darrow, Fasbender: A bill for an act entitled: "An act creating an interim committee on finance, an interim committee on taxation, an interim committee on local government, an interim committee on education, an interim committee on public health and welfare, an interim committee on state administration, an interim committee on environment and resources, and an interim committee on legislative modernization; specifying an immediate effective date."	166, 447.
526	Introduced by Fasbender, Himsl, Marbut, Bardanouve, Darrow: A bill for an act entitled: "An act to submit to the qualified electors of Montana amendments to Sections 5 and 6, Article V of the Constitution of Montana providing for longer legislative sessions, making the Legislative Assembly a continuous body, etc."	166.
527	Introduced by Marbut, Fasbender, Bardanouve, Darrow: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 5, Article V of the Constitution of Montana providing for seventy (70) day sessions of the Legislative Assembly; an amendment to Section 6, Article V of the Constitution of Montana providing for annual sessions of the Legislative Assembly, granting the Legislature power to call itself into session to consider any subject it deems necessary and deleting obsolete language."	166.

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528	Introduced by Marbut, Darrow, Fasbender, Watt, Himsl, Bardanouve: A bill for an act entitled: "An act to amend Section 43-310, R.C.M., 1947, providing for per diem and expenses of members of the Legislative Assembly."	166, 409, 441, 515, 551.
529	Introduced by Darrow, Marbut, Fasbender, Watt: A bill for an act entitled: "An act providing seventy-five dollars per month compensation for members of the Legislative Assembly to be used in defraying expenses incurred for maintaining the office of the legislator when the Legislature is not in session."	166, 410, 441, 515, 551.
530	Introduced by Giesick, Forester, Lockrem, Lundgren: A bill for an act entitled: "An act pertaining to assessment of agricultural lands; providing for procedure, defining agricultural lands, establishing a penalty; and amending Section 84-401, R.C.M., 1947, to except agricultural land from the provision requiring land to be assessed at its full cash value."	166, 448, 506, 523, 525, 533, 536, 559, 652.
531	Introduced by Giesick, Towe: A bill for an act entitled: "An act replacing Chapter 14, Title 41, R.C.M., 1947, concerning the regulation of private employment agencies including provision for penalties for the violation of such regulations."	166, 366, 380, 502, 514, 518, 552, 793, 827, SA-851, 915, 941, 943, 974.
532	Introduced by Lucas, by request: A bill for an act entitled: "An act to provide that all retirement income to disabled members of the armed forces of the United States not in excess of one thousand dollars (\$1,000.00) shall be exempt from Montana income tax; and amending Section 84-4905, R.C.M., 1947."	166.
533	Introduced by T. L. Murphy, Brand, Fagg, Zody, Marks, Jackson: A bill for an act entitled: "An act to amend Sections 68-708 and 68-709, R.C.M., 1947, relating to the Public Employees' Retirement System, to provide that interest be paid on contributions withdrawn from the Public Employees' Retirement System by employees with more than five (5) years continuous service; and that redeposits made by employees include all interest withdrawn."	167, 404.
534	Introduced by Christiansen, Weeding, Bardanouve, Knudsen, Lien, Edland, Hall, Eggebrecht, Zody, Lund, E. Smith, Ulmer, East: A bill for an act entitled: "An act authorizing the formation of	

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	<p>wholesale electric energy districts as agencies and instrumentalities of the State of Montana to develop for and on behalf of the state natural resources of the state; to maintain in the state a continuous and adequate supply of electrical power and energy at the lowest possible cost through the construction and operation of electric generation and associated transmission facilities; to furnish electrical power and energy to other electric utilities at wholesale only and not at retail; providing that wholesale electric energy districts shall be formed for public purposes and be deemed to be exercising an essential governmental function; defining terms; specifying the requirements of and procedure for the organization of wholesale electric energy districts and establishment of the boundaries thereof; defining the powers and duties of wholesale electric energy districts and their boards of directors and providing for the manner of such directors' appointment and specifying their qualifications; specifying that wholesale electric energy districts shall not have the power to levy taxes nor to pledge the credit of the state or any political subdivision thereof; granting districts the authority to issue revenue bonds or notes and authorizing the pledging of the revenues from the systems or plants of such districts and the creation of liens upon the property or such districts to secure their repayment; providing the method and procedure for the issuance and sale of such bonds or notes; providing for the appointment of a trustee for the administration and operation of the systems or plants of such districts in the event of a default in any payment upon any said bonds or notes; establishing an advisory committee and designating the qualifications of the members thereof; permitting the interconnection of the lines of a district's system or systems with other systems within or without the district or state, public or private, and to enter into contracts with such other systems; authorizing the exercise of the right of eminent domain and providing the procedure therefor; granting the board of directors the right to adopt and enforce bylaws, rules and regulations and to establish, levy and collect rates and charges for its services and for the sale of electrical power; providing a covenant of the State of Montana not to impair the power of a district to maintain its operation so long as its bonds or notes are outstanding; specifying that the property of a district, the bonds or notes issued thereby, and the income therefrom shall be exempt from taxation within the State of Montana; providing that districts pay two percent (2%) of gross revenue in lieu of taxes; requiring a district to make annual reports to the Montana Public Service Commission and to its patrons; providing that the Montana Public Service Commission shall have no jurisdiction over districts organized under this act</p>	

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	or over their rates, charges or operations; requiring a district to conform to safety rules and regulations; providing for the transfer to the state of all property and assets held by a district upon termination of its corporate existence; and establishing the severability of the provisions of the act."	167, 412, 517.
535	Introduced by Fasbender, Hall: A bill for an act entitled: "An act requiring security for payment of labor claims in contract work except personal services; providing such security shall be mandatory where the contract amount is five hundred dollars (\$500) or more and providing for alternative liability where such security is not furnished; providing for notice of claims and recovery to include attorney fees; and providing the remedy created shall not prejudice other available remedies."	167, 326.
536	Introduced by Hall: A bill for an act entitled: "An act to revise powers of attorney, providing that a power of attorney is not affected by disability when so provided; providing that a power of attorney is not revoked by death, disability or incompetence of the principal until the agent has notice of the same, amending Section 2-305, R.C.M., 1947, and providing an effective date."	168, 295.
537	Introduced by Hall: A bill for an act entitled: "An act to extend a contractual right to attorney fees granted to one party to a contract to the prevailing party in any lawsuit on such contract whether or not the contract expressly provides for such fees as to such prevailing party."	168, 309, 321, 350, 353, 435, 766, 823, 824, 825, Ex. 1-7.
538	Introduced by Hall: A bill for an act entitled: "An act to amend Section 92-204, R.C.M., 1947, by deleting the words 'intentional and malicious' therefrom and substituting therefor the words 'grossly negligent'."	168, 296.
539	Introduced by Hall: A bill for an act entitled: "An act to revise the laws relating to guardianship by creating a conservator and defining the powers of guardians of minors, guardians of incapacitated persons and conservators, providing that a guardian for an incapacitated person may be appointed by will by the parent or spouse of such person, amending Sections 91-3101, 91-3212, 91-3508, 91-3514, 91-4302, 91-4319, and 91-4515, R.C.M., 1947, repealing Sections 91-4320, 91-4501 to 91-4511, inclusive 91-4514, 91-4516 to 91-4526, inclusive, 91-4601 to 91-4611, inclusive, 91-4701 to 91-4706, inclusive, 91-4801 to 91-4817, inclusive, 91-4819 to 91-4822, inclusive, 91-4901 to 91-4911, inclusive, 91-5001 to 91-5016, inclusive, 91-5101 to	

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	91-5111, inclusive, 91-5201 to 91-5211, inclusive, and 93-6302, R.C.M., 1947, and providing an effective date."	168, 344.
540	Introduced by Anderson, Jackson, Snortland, Parrish, Weeding, Johnston, E. Smith: A bill for an act entitled: "An act providing for the power of eminent domain for conservation districts; generally revising Title 76; and amending Sections 76-101, 76-103 through 76-111, 76-114, 76-115, 76-117, 76-201, 76-208 through 76-210, 76-222 through 76-226, and 76-229, R.C.M., 1947."	168, 177, 446, 518, 533, 536, 559, 820, 827, 829, 867, 945, 994, 995, 996.
541	Introduced by Scott, Bennett: A bill for an act entitled: "An act amending Section 11-4101 of the Revised Codes of Montana, 1947, pertaining to industrial development projects; including among such projects commercial enterprises."	168, 367, 380, 502, 505, 522, 792, 858, 859, 889.
542	Introduced by Bennett, Worden, Giesick, Campbell, Lockwood: A bill for an act entitled: "An act to amend Section 84-202, R.C.M., 1947, to provide for a special tax to be used exclusively for the support of police departments and fire departments in cities, towns, and county fire districts, to be levied against all tax-exempt property except the property of the United States, the state, counties, cities, towns, school districts, municipal corporations, public libraries, and places of actual religious worship; providing for the levy of said special tax at the time and in the same manner as the annual levy of general taxes, and providing for the amount of said tax to be determined in the same proportion as the amount of taxes in support of police and fire departments levied against the ordinary taxable property of said city, town, or county fire district."	168, 322.
543	Introduced by Snortland: A bill for an act entitled: "An act to repeal Sections 27-201 through 27-212, R.C.M., 1947, known as 'The Montana Insecticide, Fungicide and Rodenticide Act of 1947'."	169.
544	Introduced by Perry, Eggebrecht, Lee, Harper, Mehrens, Lombardi: A bill for an act entitled: "An act to make any big game license valid until the animal is taken to fill the license."	169, 402.
545	Introduced by Perry: A bill for an act entitled: "An act to prohibit public utilities whose rates are set by the Public Service Commission from selling retail appliances and goods and from engaging in	

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	the supply and/or installation of gas or electrical appliances."	169, 253.
546	Introduced by Watt: A bill for an act entitled: "An act to fix different taxable valuations on land and on the improvements on land and amending Sections 84-301 and 84-302, R.C.M., 1947."	169, 188, 367.
547	Introduced by Dye, Ulmer, Christiansen, Fasbender, Lucas: A bill for an act entitled: "An act to provide for implementation of personnel classification and salary plans in the State Highway Commission and for appropriating the necessary funds."	169, 219, 353, 364, 390, 424, 441, 552, 722.
548	Introduced by Bardanoue: A bill for an act entitled: "An act authorizing the Department of Fish and Game to regulate the use of land adjacent to recreational waterways."	169, 244, 498.
549	Introduced by Weeding, C. Smith, Anderson, Jackson: A bill for an act entitled: "An act providing for a mandatory questionnaire for game hunters, and providing for a land use fee to be paid to counties by big game hunters."	169, 253.
550	Introduced by Ainsworth, by request: A bill for an act entitled: "An act relating to assessment on motor vehicles, mobile homes, livestock, new improvements and building constructed for family dwelling purposes and repealing Section 84-406, R.C.M., 1947."	169.
551	Introduced by Campbell: A bill for an act entitled: "An act amending Section 75-8702, R.C.M., 1947, by deleting part-time student from the definition of resident student, amending Section 75-8703, R.C.M., 1947, to allow the spouse or dependent children of an adult employed on a full-time basis within the State of Montana to apply for in-state tuition classification and amending Section 75-8704, R.C.M., 1947, to create a presumption; all sections being part of Senate Bill 2 of the Forty-second Session Laws of Montana."	169, 353, 383, 394, 502, 514, 553, 766, 834, 854, 855, 857.
552	Introduced by The Reapportionment Committee (by request): A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947."	169, 352, 383, 394, 502, 515, 520, 577, 584, 585, 612, 907, 927, 940, 952.
553	Introduced by Fasbender, Gunderson: A bill for an act entitled: "An act to provide a voluntary consol-	

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	idation and annexation incentive plan for school districts and providing an effective date."	169, 341, 359, 375, 389, 424, 441, 553, 671, 707, 709, 762, 878.
554	Introduced by Bradley, upon request: A bill for an act entitled: "An act providing for abortion in the State of Montana and further providing the conditions under which an abortion may be performed and providing penalties; repealing Sections 94-401 and 94-402, R.C.M., 1947."	169, 177, 311.
555	Introduced by E. Smith, Burnett: A bill for an act entitled: "An act to regulate the placing of caged fish in public waters and provide the Fish and Game Commission with authority to regulate."	170, 321, 337, 350, 353, 436, 681, 761, 764, 788.
556	Introduced by Lucas, Nelstead, Swanberg, Kosena, Quilici, Campbell, Harrison: A bill for an act entitled: "An act to require all units of the Montana University System and all private colleges and private universities granting any degree in education to establish a course in drug and alcohol education and abuse; to require that graduates in education shall successfully complete a course in drug and alcohol education and abuse; and to require all junior high schools and high schools in Montana to teach courses in drug and alcohol abuse to their students."	170, 343, 352, 375, 380, 436, 792, 858, 859, 889.
557	Introduced by Towe, Harper, Quilici: A bill for an act entitled: "An act relating to public utilities, amending Section 70-103, Revised Codes of Montana, 1947, to include hospitals within the definition of public utility; providing that rates and charges be subject to Public Service Commission regulation; reserving licensure and supervision to the State Board of Health; repealing conflicting acts; providing an effective date."	170, 411.
558	Introduced by E. Smith, Perry, Wolf, Aber, Burnett, Whitney: A bill for an act entitled: "An act to amend Section 94-35-269, R.C.M., 1947, to include the hunting of all wildlife in the prohibition of careless or reckless acts while hunting."	170.
559	Introduced by E. Smith, Selstad, Swan, Anderson, Burnett: A bill for an act entitled: "An act providing for an assessment on fertilizer to produce funds for the Montana Cooperative Extension Service and the Montana Agricultural Experiment Station of Montana State University, Bozeman, for a statewide fertilizer and related soil man-	

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	agement program of education and research correlated with soil testing.”	170, 338, 352, 375, 390, 424, 441, 553, 819, 827, SA-852, 889, 890, 891, 913.
560	Introduced by Education Committee by request: A bill for an act entitled: “An act authorizing the Regents to impose matriculation fees on students at units of the Montana University System.”	170.
561	Introduced by Education Committee by request: A bill for an act entitled: “An act to repeal subsection (1) of Section 75-8601 of Senate Bill 2 of the 42nd Session Laws of Montana.”	170, 285, 293, 303, 304, 335, 820, 876, 877, 889.
562	Introduced by Warfield: A bill for an act entitled: “An act related to the school transportation reimbursement rate schedules; providing an increase of the bus per mile reimbursement schedules; amending Section 75-7018, R.C.M., 1947.”	170, 444, 506, 523.
563	Introduced by Warfield: A bill for an act entitled: “An act to amend Section 75-7019, R.C.M., 1947, relating to the procedure for determining the maximum reimbursement for individual transportation and relating to the rates of such reimbursement.”	170, 444, 506, 523.
564	Introduced by Warfield: A bill for an act entitled: “An act relating to the definition of the School Foundation Program; amending Section 75-6906.”	170.
565	Introduced by Ulmer, Watt: A bill for an act entitled: “An act to provide for the allowance of a credit upon the amount of property taxes assessed to the owners and occupants of residential property by reason of such ownership, at the rate of twenty per cent of such tax, subject to a maximum credit allowance of one hundred twenty-five dollars per year; providing that the total amount of the credits allowed in each county shall be reimbursed by payments to the various county treasurers out of the general fund of the State of Montana; providing for the administration thereof, and for penalties in case of violation.”	171, 339, 352, 359, 375, 390, 424, 501.
566	Introduced by Fleming, Johnston, Kendall, T. Murphy, Staigmiller: A bill for an act entitled: “An act amending Section 90-201, R.C.M., 1947, relating to the definitions of grades of apples.”	171, 339, 352, 359, 364, 436, 681, 707, 708, 709, 762, 878.
567	Introduced by Knudsen, Eggebrecht: A bill for an act entitled: “An act amending Section 66-1930, R.C.M., 1947, providing that the Real Estate	

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	Commission shall establish a passing grade for their license examination."	171, 340, 364.
568	Introduced by Bennett, Forester: A bill for an act entitled "Control of parking and traffic on University grounds."	171, 209, 220, 236, 237, 238, 271, 283, 287, 293, 319, 671, 737, 739, 740, 791, 877, 878, 942, 943, 971.
569	Introduced by Hall, Watt, Cox: A bill for an act entitled: "An act to make the provisions for cities in the Housing Authority Act conform with those for counties by amending Sections 35-104 and 35-109, R.C.M., 1947."	171, 465.
570	Introduced by Cox, Christiansen, Nelstead, Brown, Warfield, Norman, Parrish, Olson, Hall: A bill for an act entitled: "An act extending the authority of the Western Interstate Commission for Higher Education including the placement of Montana students in schools outside the WICHE region and for related proposals."	171, 355, 364, 390, 395, 437, 671, 707, 708, 709, 762, 878.
571	Introduced by Bardonoue: A bill for an act entitled: "An act to provide a committee with the power to review a judge and pass on his fitness to serve."	171, 309.
572	Introduced by Bardonoue: A bill for an act entitled: "An act to amend Section 79-1202, R.C.M., 1947, relating to the investment of surplus treasury cash by providing that the State Board of Land Commissioners determine the existence of surplus treasury cash; repealing Sections 79-303 and 79-304, R.C.M., 1947."	171, 356, 364, 390, 395, 437, 652, 687, SA-732, 783, 785, 787, 818, 924.
573	Introduced by Bardonoue: A bill for an act entitled: "An act to amend Sections 93-701, 93-702, 93-704, R.C.M., 1947, relating to the qualifications of judicial officers."	171, 309.
574	Introduced by Bardonoue: A bill for an act entitled: "An act appropriating moneys for the biennium ending June 30, 1973, to the Department of Health for a state temporary mosquito abatement advisory council and vector specialist."	171.
575	Introduced by Nichols: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1971 and 1972,	

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	providing a severability clause and an effective date".	213, 339, 352, 359, 437, 630, 684, SA-733, 783, 785, 787, 818, 923.
576	Introduced by Norman, Brown, Towe: A bill for an act entitled: "An act to establish a severance tax of twelve cents (\$.12) per ton on coal extracted from strip mining operations."	213.
577	Introduced by Whitney, Falkenstern, Zody, Baeth: A bill for an act entitled: "An an appropriating seven thousand eight hundred dollars (\$7,800) to the Fish and Game Commission from the general fund to construct a fish pond near the town of Wibaux, Montana, for the biennium ending June 30, 1973."	213, 285.
578	Introduced by Lanthorn: A bill for an act entitled: "An act amending Sections 4-317, 4-324 and 4-347, R.C.M., 1947, concerning licenses of brewers, persons to whom brewers may sell beer and increasing the barrelage tax, and providing for its disposition for various law enforcement purposes to the state, counties, and cities and towns."	213, 629.
579	Introduced by Patrick, Lanthorn, Bennett, Healy, Lombardi, Lockwood, McGrath, Harrison, Brown: A bill for an act entitled: "An act appropriating twenty-seven thousand dollars (\$27,000) to the governor's office from the general fund for the illumination of the capitol building."	227, 647, 655, 687.
580	Introduced by Burnett, Haines: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, relating to classification of property for taxation."	244, 449, 506, 524, 554, 820, 827, SA-852, 915, 941, 943, 971.
581	Introduced by Christiansen, Ulmer, Norman, Weed-ing, Zody, East: A bill for an act entitled: "An act to amend Section 84-1302 and 84-1303, R.C.M., 1947, to provide for changed rates of license taxation and setting such new rates; to provide for a changed exemption and setting such exemption and how it may be applied; providing that the Montana State Bureau of Mines and Geology shall be testing agency for this act and giving the Bureau rule-making authority for the purposes of this act; and requiring that samples of coal be submitted to that Bureau; and providing for a limitation on reclamation tax credit."	244, 608, 653, 655, 705, 859, 942, 943, 971.
582	Introduced by Burnett, Jackson, McGrath, Haines, Kvaalen: A bill for an act entitled: "An act to	

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	amend Section 84-301, R.C.M., 1947, relating to classification of property for taxation, by providing for the classification of cooperatively owned electric generating plants and electric transmission lines."	244, 449, 506, 523, 536, 554, 820.
583	Introduced by Hall: A bill for an act entitled: "An act re-enacting Section 16-1015, R.C.M., 1947."	244.
584	Introduced by Bardanouve: A bill for an act entitled: "An act relating to Montana income tax; changing the rate schedule; raising the surtax and replacing exemptions with tax credits; amending Sections 84-4901, 84-4902, 84-4902.1, 84-4910 and 84-4915, R.C.M., 1947."	244, 588.
585	Introduced by Marbut, Norman: A bill for an act entitled: "An act providing a tax on no-deposit containers of beer and soft drinks and providing for distribution of the tax."	244, 450.
586	Introduced by Bennett, Kolstad, Aspevig, Haines, Cox: A bill for an act entitled: "The Montana Retail Sales and Use Tax Act; levying sales and use taxes to support the state government; providing for the administration thereof, and for penalties in case of violation of its provisions."	248, 339, 352, 359, 393, 394.
587	Introduced by Zimmer: A bill for an act entitled: An act providing for imposition of a wholesale invoice tax; for the amount of a wholesale invoice tax; payment of the tax by distributors to wholesalers; registration of wholesalers; empowering the State Board of Equalization to establish regulations; providing for enforcement of the act by penalties; designating such funds derived to be used as replacement tax on individual homes for school districts via property tax; and formula for such replacement and designation of authority to implement formula."	249, 576.
588	Introduced by Gunderson: A bill for an act entitled: An act providing for the imposition and collection of a five percent (5%) tax on the occupancy of sleeping accommodations; defining terms; requiring licensing of those offering sleeping accommodations to the public; providing that the State Board of Equalization shall administer the act, and prescribe and publish all rules and regulations as are deemed necessary; providing for a means of appeal; and providing for the deposit of the funds raised by the act."	249, 576.
589	Introduced by Dye: A bill for an act entitled: "An act to establish municipal and regional airport authorities; to provide for a tax levy for operation thereof; to provide for airport commissioners; to	

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	provide for the general power of an airport authority; to provide powers of eminent domain for issuance of bonds, and for the establishment of operational uses privileges; to provide for rules and regulations in connection with an airport authority; to provide for acceptance of federal aid for airports; to provide for joint operations of airport facilities and to provide for municipal cooperation in regard to airport operation."	249, 444, 518, 533, 536, 560, 766, 826, SA-852, 897, 942, 943, 974.
590	Introduced by Towe: A bill for an act entitled: "An act providing for the imposition and collection of a five percent (5%) tax on the occupancy of sleeping accommodations and meals; defining terms; requiring licensing of those offering sleeping accommodations and meals to the public; providing that the State Board of Equalization shall administer the act; providing a means of appeal; providing for the deposit of the funds raised by the act; providing for no increase in rates, coverage or additional similar tax measures without a referendum of the people; and amending Section 84-4906, R.C.M., 1947, to allow a travel deduction from income tax."	249, 575.
591	Introduced by Gunderson, Swanberg, Greely, Cox, McKittrick, Hodges, Staigmiller, Hall, Fasbender, Selstad, Keller, Watt, Quilici, Harrison: A bill for an act entitled: "An act appropriating two million dollars (\$2,000,000) to the State Board of Education from the long-range building program account, bond proceeds and insurance clearance fund, for construction of an area Vocational-Technical Center at Great Falls, Montana, for the biennium ending June 30, 1973; providing for dollar-for-dollar matching with school district number one of Great Falls."	327, 590.
592	Introduced by Patrick, Lanthorn, Bennett, Harrison, Gunderson, Quilici, Cox, Watt: A bill for an act entitled: "An act appropriating five hundred thousand dollars (\$500,000) to the State Board of Education from the long-range building program account, bond proceeds and insurance clearance fund, for construction of additional facilities at the area Vocational-Technical Center located at Helena, Montana, for the biennium ending June 30, 1973."	327, 590.
593	Introduced by Watt, Ainsworth, Haines, Harrison, Norman, Worden, Marbut, Campbell, Gunderson, Cox, Quilici: A bill for an act entitled: "An act appropriating five hundred thousand dollars (\$500,000) to the State Board of Education from the long-range building program account, bond proceeds and insurance clearance fund, for the con-	

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	struction of additional facilities at the area Vocational-Technical Center located at Missoula, Montana, for the biennium ending June 30, 1973."	328, 590.
594	Introduced by Cox, Forester, Glennen, Towe, Nestead, Fagg, Darrow, Giesick, Lockrem, Gerke, Gunderson, Watt, Quilici, Harrison: A bill for an act entitled: "An act appropriating two million dollars (\$2,000,000) to the State Board of Education from the long-range building program account, bond proceeds and insurance clearance fund, for construction of an area Vocational-Technical Center at Billings, Montana, for the biennium ending June 30, 1973; providing for dollar-for-dollar matching with School District Number Two of Billings."	328, 590.
595	Introduced by Quilici, Lynch, Lee, Healy, Harrison, Harper, McGrath, Gunderson, Watt, Cox. A bill for an act entitled: "An act appropriating five hundred thousand dollars (\$500,000) to the State Board of Education from the long-range building program account, bond proceeds and insurance clearance fund, for the construction of additional facilities at the area Vocational-Technical Center located at Butte, Montana, for the biennium ending June 30, 1973."	328, 590.
596	Introduced by Robbins, Cox, J. Murphy: A bill for an act entitled: "An act to amend Section 23-3318, R.C.M., 1947, by providing for filing of certificates of nomination by candidates for municipal offices."	346, 406, 441, 515, 518, 554, 671, 707, 709, 762, 790.
597	Introduced by Himsl, Schoonover, Zimmer, Olson, Ulmer, Zody, Fleming, Lundgren, J. Murphy, Brown: A bill for an act entitled: "An act appropriating money from the general fund to the community college districts of Montana for their operation and maintenance during the biennium ending June 30, 1973, in accordance with Section 75-8121, R.C.M., 1947."	358, 916, 948, 971, 977.
598	Introduced by Haines, McGrath, Harrison, Laas, Patrick, Swan, Gunderson, Staigmler, Healy, Lucas: A bill for an act entitled: "An act to appropriate thirty-nine thousand dollars (\$39,000) from the general fund for the restoration of the governors' old mansion at Helena, Montana."	501, 590, 600, 610, 653, 655, 705, 878, 911, SA-912, 596, 968, 989.
599	Introduced by Healy, Lundgren, Anderson, Lee, Harper, Lombardi, Lynch, Quilici, Brand, Aspevig, Johnston, McGrath, Mehrens, Kosena, Menahan, Christiansen, Clemow, Laas, T. Murphy, Shelden,	

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	Fleming: A bill for an act entitled: "An act appropriating four million, eighty thousand, six hundred seventy-five dollars (\$4,080,675) to the State Board of Education from the Long-range Building Program account, bond proceeds and insurance clearance fund, for the construction of a laboratory building at Montana College of Mineral Science and Technology at Butte, Montana, for the biennium ending June 30, 1973."	513, 600.
600	Introduced by Darrow, Christiansen, Lucas, Harrison, Fasbender: A bill for an act entitled: "An act appropriating two hundred eighty-eight thousand two hundred fifty-four dollars (\$288,254) for the operation of the Environmental Quality Council for the biennium ending June 30, 1973."	601, 894, 917, 940, 941, 948, 955, 969, 974, 979, 996, 999.
601	Introduced by Gunderson, Towe, Swanberg, Lien, T. Murphy: A bill for an act entitled: "An act to establish a bi-partisan legislative apportionment commission."	611, 865, 876, 879, 880.
602	Introduced by Haines, Ainsworth, Worden, Watt, Campbell, Norman: A bill for an act entitled: "An act appropriating one million three hundred twenty thousand dollars (\$1,320,000) from the Long-range Building Program Account, Bond Proceeds and Insurance Clearance Fund to the University of Montana at Missoula for the second phase of the Library."	652, 654.
603	Introduced by Zody, Olson: A bill for an act entitled: "An act appropriating moneys from the 'Long-Range Building Program Account, Bond Proceeds and Insurance Clearance Fund' to the state controller for a capital project for the Montana Water Resources Board for the biennium ending June 30, 1973; and authorizing the use of federal and private funds available for that purpose."	652, 654.
604	Introduced by Campbell, Dye: A bill for an act entitled: "An act appropriating moneys for a medical education program in cooperation with the States of Washington, Alaska, and Idaho."	674.
605	Introduced by Giesick, Forester, Kolstad, Lynch, Quilici, Snortland, Lombardi: A bill for an act entitled: "An act appropriating moneys for fluoridation of the teeth of school children by the Department of Health."	674, 988.
606	Introduced by Healy, Johnston, Lee, Mehrens, Lombardi, McGrath, Lundgren, Harper, Clemow, Kosena, Keller, Quilici, Lynch, Menahan: A bill for an act entitled: "An act appropriating moneys	

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	for the environmental engineering program at the Montana College of Mineral Science and Technology."	722.
607	Introduced by Kvaalen, Himsl, Gerke: A bill for an act entitled: "An act to appropriate monies to certain state institutions and agencies for the biennium ending June 30, 1973."	722, 830, 834, 855, 856, 857, 861, 988.
609	Introduced by Nichols, Dye: A bill for an act entitled: "An act appropriating fifty-eight thousand seven hundred nine dollars (\$58,709) from the agricultural experiment station earmarked revenue fund for the biennium ending June 30, 1973, for the acquisition of real property; appropriating as much as may be necessary from the agricultural experiment station earmarked revenue fund for interest and other costs to the purchaser for the acquisition of real property; authorizing the Board of Regents to enter into a contract for deed to approximately 93.69 acres of land in Gallatin County."	739, 750, 762, 782, 788, 809, 934, 969, 970, 989.
610	Introduced by Dye, Laas: A bill for an act entitled: "An act relating to the issue and sale by the State Board of Examiners of limited obligation highway bonds in a sum not exceeding eight million three hundred ninety-six thousand seven hundred sixty-one and no/100 dollars (\$8,396,761.00) for the purpose of acquiring a necessary site for and erecting and equipping a state highway commission headquarters building and complex; providing that said bonds shall be payable solely from net proceeds from gasoline taxation; pledging and appropriating a portion of such net proceeds to a special sinking fund account; reserving to the state the power of issuing additional highway bonds payable from the sinking fund account when authorized by law, or of refunding such bonds; eliminating the maximum interest rate of such bonds; amending sections 1, 3, 4, 6 and 7, Chapter 377, laws of 1969, and Section 32-2601, R.C.M., 1947, enacted by Section 4-301, Chapter 197, laws of 1965; and providing an effective date."	739, 895, 916, 927, 932, 948, 991, 996, 999.
611	Introduced by Patrick, Lund: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations."	752, 822, 826, 828, 834, 855, 857, 861, 988.

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612	Introduced by Haines: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations."	762, 823, 826, 828, 834, 855, 857, 861, 988.
613	Introduced by Asbjornson, Spilde, Aspevig: A bill for an act entitled: "An act to appropriate monies to the units of the Montana University System, the Agricultural Experiment Station, the Cooperative Extension Service, the Western Interstate Commission for Higher Education, the office of the Executive Secretary of the Montana University System and the School for the Deaf and Blind, State Superintendent of Public Instruction, including the funding of the Foundation Program, the Board of Education, and Vocational Education, for personal services, operation, and capital expenditures for the biennium ending June 30, 1973."	794, 828, 834, 855, 856, 857, 862, 863, 988.
614	Introduced by Dye, Glennen: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations."	818, 828, 834, 855, 856, 857, 864, 988.
615	Introduced by Nichols: A bill for an act entitled: "An act appropriating moneys for certain state agencies of government for the biennium ending June 30, 1971."	856, 872, 876, 879, 881, 934, 939, SA-940, 980, 989, Ex. 1-7.
616	Introduced by Nichols, Worden, Christiansen: A bill for an act entitled: "An act amending Section 84-4908, R.C.M., 1947, by deleting a provision relating to a federal income tax deduction; and providing an effective date."	860, 865, 876, 879, 880, 882, 952, 980, 989.
617	Introduced by Bardanouve, Fagg, Darrow, Schoonover: A bill for an act entitled: "An act appropriating moneys to the Department of Lands and Investments to implement the provisions of House Bills 250 and 243 and Senate Bill 70; providing an effective date."	879, 895, 916, 927, 933, 948, 976, 989, 994.
618	Introduced by Darrow, Lundgren, Fagg: A bill for an act entitled: "An act appropriating moneys to the Environmental Quality Council to implement	

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	the provisions of House Bill No. 66; Providing an effective date."	909, 917, 943, 948, 955.
619	Bill shown as introduced March 2, 1971 on Original Bill—does not show in Original Journal or Printed Journal.	916, 948, 971, 978.
HOUSE RESOLUTIONS REGULAR SESSION		
1	Introduced by Anderson, Edland, McKittrick, Greely, Kolstad, Staigmilller, Ainsworth, Campbell: A resolution of the House of the State of Montana of the 42nd Legislative Assembly this date go on official record as wholeheartedly supporting the Big Sky Project which is headed by Chet Huntley.	49.
2	Introduced by Brand, Laas, Kolstad, Lombardi, Harper, Snortland, Robbins, Bradley, Lee, Aspevig, Zimmer, Devine, Greely, McKittrick, Staigmilller, Gunderson, Hodges, Schoonover, Swanberg, Lien, T. L. Murphy, Kendall, Fleming, Zody, Weeding, Eggebrecht, Prevost, Quilici, Healy, Mehrens, Kosena, Menahan, East, Ainsworth, Worden, Campbell, Lund, Warfield, Wolf, Lundgren, Johnston, Yardley. A resolution of the House of Representatives of the State of Montana urging that existing passenger train service through the State of Montana in an east-west direction and daily passenger train service to the State of Montana in a north-south direction be included in the Basic National Rail Passenger System.	67, 120, 132.
3	Introduced by Jackson, Brand, Lockwood, Ellerd. A resolution of the House of Representatives of the State of Montana urging the Interstate Commerce Commission to consider the hardship upon the people and the State of Montana when ruling upon the abandonment of rail lines in Montana, and to hold hearings on such matters in the area affected.	153, 251.
4	Introduced by Fagg, Lockrem, Glennen, Nelstead, Giesick, Darrow, Cox, Towe, Lucas, Forester. A resolution of the House of Representatives directing the legislative assembly to declare Dave McNally an honorary member of the forty-second session.	153, 294.
5	Introduced by Prevost, Eggebrecht, E. Smith, Burnett, Christiansen, Knudsen, Lund, Edland, Gunderson, Zody, Weeding, Bradley, Lien: A resolution of the House of Representatives of the State of Montana to the Congress of the United States, the Montana Congressional Delegation, the Interior Committee of the United States Senate, the Interior Committee and the Interior Subcommittee of the Appropriations Committee of the United States House of Representatives requesting the	

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	passage of legislation and appropriations supporting the construction of a large magnetohydrodynamics (MHD) pilot power plant to implement the techniques which have been developed through extensive research since 1957.	346, 587.
6	Introduced by Robbins, Asbjornson, Bradley: A resolution of the House of Representatives of the State of Montana requesting that the Legislative Council conduct a study of the need and feasibility of deriving revenue from all tax-exempt property to provide funding in support of fire and police protection provided tax-exempt facilities and report its findings, together with recommendations and any necessary implementing legislation to the Forty-third Legislative Assembly.	374, 596.
7	Introduced by Selstad, Lund. A resolution of the House of Representatives of the State of Montana requesting the Board of Education to appoint a study council of representatives of Montana University System, private colleges, junior colleges and vocational schools for the purpose of formulating a master program of higher education giving the authority to the Legislative Council over budget and staff, accountability to the general public, and encouraging effective cooperation among all post-high school educational institutions.	424, 748.
8	Introduced by Lombardi, Perry, Harper, Quilici, Healy, Lee, Mehrens, Asbjornson, Clemow, Keller, Lynch, Haines, Kosena, Menahan, McGrath, Staig-miller, Hodges, Gunderson, McKittrick, Marbut, Giesick: A resolution of the House of Representatives of the State of Montana requesting the constitutional convention to consider a provision for the establishment of a state lottery to provide financing for schools in Montana.	501, 564.
9	Introduced by Gunderson, Quilici, Knudsen, Greely, Fagg, Bennett, Brown, Hall, Devine, McKittrick, Staig-miller, Hodges, Swanberg, Fasbender: A House Resolution expressing support of sheltered workshops in Montana.	513, 589.
10	Introduced by Fasbender, Harrison: A resolution of the House of Representatives of the State of Montana directing the Department of Administration to provide adequate space for state printing facilities.	521, 948.
11	Introduced by Weeding, East, Bardanouve: A Resolution of the House of Representatives of the State of Montana directing the Legislative Council to appoint an interim committee to study potential revisions in our present ground water laws, and prepare any necessary implementing legislation for the Forty-Third (43rd) Legislative Assembly.	569, 623.

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12	Introduced by E. Smith, Selstad, Perry, Wolf, Burnett, Aber, Keller, East, Giesick, Campbell, Kvaalen, Ainsworth: A Resolution of the House of Representatives consenting to a postponement of including certain state agencies under executive reorganization until after the constitutional convention.	611.
13	Introduced by Christiansen: A Resolution of the House of Representatives of the State of Montana directing that officials of the Holly Sugar Company meet with the State Office of Planning and Economic Development to determine any common ground that may enable the reopening of the sugar refinery.	611, 716.
14	Introduced by Marks, T. Murphy: A Resolution of the House of Representatives of the State of Montana respectfully urging the Honorable Forrest H. Anderson, Governor, and the State Department of Planning and Economic Development to retain the Madison-Jefferson-Silver Bow Resource, Conservation and Development Group.	674, 743.
15	Introduced by Marks: A Resolution of the House of Representatives of the State of Montana, to the United States Congress in support of the proposed plan of the United States Bureau of Reclamation for dust abatement on the Canyon Ferry Unit, Helena-Great Falls Division, Pick-Sloan Missouri Basin Program of the Missouri River Basin Project, Montana.	722, 742.
16	Introduced by Glennen, Christiansen: A Resolution of the House of Representatives of the State of Montana requesting that the Legislative Council study the Railroad Commission, ex officio of the Public Service Commission, and submit a written report to the Forty-Third Legislative Assembly.	752.
17	Introduced by Brown, Zimmer, Baeth, Patrick, Keller, Forester, J. Murphy, E. Smith, Aber, Bradley, Schoonover, Lundgren, Harper, Himsl: A Resolution of the House of Representatives of the State of Montana registering opposition to the proposed construction of an air facility near Glacier National Park which would be capable of accommodating the most modern type of aircraft.	752, 896.
18	Not in Journal.	
19	Introduced by Darrow, Lucas, Marbut, Cox, Christiansen, Harrison, Fasbender, Kvaalen, Nichols, Fagg, Himsl, Watt, Gerke, Hall, Bardanouve, Mehrens, Healy, Scott, Dye, Keller, Ulmer, Swan, Falkenstern, Whitney, Hemstad, East, J. Murphy, E. Smith, Warfield, Lund, Haines, C. Smith, Campbell, Lundgren, Prevost: A Resolution of the	

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	House of Representatives of the Forty-Second Legislative Assembly of the State of Montana instructing the chairman of the 1971-1972 Legislative Council to give priority consideration to members of pertinent standing committees of the House and Senate of the Forty-Second Legislative Assembly in appointing members of the subcommittees of the Council.	860, 965.
20	Introduced by Towe, Jackson, Swan, Ulmer: A Resolution of the House of Representatives of the State of Montana directing the Legislative Council to conduct a comprehensive study of the statutes relating to insurance to ascertain whether health service corporations should be brought under the jurisdiction of the insurance commissioner.	871, 892, 893, 980.
21	Introduced by Campbell, Haines, Ainsworth, Fitzgerald, Norman, Lass: A House Resolution of the House of Representatives acknowledging the song, "Old Montana" and recognizing it as worthy of taking its place in the musical history of Montana.	879, 893.
22	Introduced by Perry, Wolf, Forester, Fagg, Darrow, Lockrem: A Resolution of the House of Representatives of the State of Montana directing the Department of Administration to keep areas of the capitol open during Saturdays and Sundays of the summer months.	879, 894.
23	Introduced by Brand, Campbell, Warfield, Eggebrecht, Kolstad, Laas, East, Zimmer, Ulmer: A Resolution of the House of Representatives requesting immediate passage of enabling legislation in the interests of national defense and for re-establishment of more efficient mail and rail service to all the people, by providing distribution enroute of all four classes of intransit mail by highly qualified Railway Postal Clerks, in refitted railway postal cars and highway post offices, in Montana and interstate in the United States of America.	910, 949.
24	Introduced by Darrow, Towe, Fagg, Cox, Forester, Glennen, Nelstead, Norman, Bradley, McKittrick, Staigmillier, Quilici, Lynch, Harper, Lundgren, Ainsworth, J. Murphy, McNamer, Johnston, Marbut, Snortland, Burnett, Robbins, Yardley, Keller, Fleming, Lien, Shelden, Parrish, Jackson, Wolf, Campbell, Anderson, Laas, Kendall, Warfield, Devine, Zimmer, Schoonover: A Resolution of the House of Representatives of the Forty-second Legislative Assembly of the State of Montana directing that the Board of Health, the Fish and Game Department, the Soil Conservation Service and the Beartooth Resource Conservation District study pollution in Clarks Fork of Yellowstone River caused by current water use practices.	910, 918.

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25	Introduced by Fagg, Scott, Darrow, Cox, Towe, Forester, Glennen, Nelstead, Norman, Bradley, McKittrick, Staigmiller, Quilici, Harper, Lundgren, Ainsworth, J. Murphy, McNamer, Johnston, Marbut, Snortland, Burnett, Robbins, Yardley, Keller, Fleming, Shelden, Lien, Schoonover, Wolf, Aber, Parrish, Jackson, Campbell, Anderson, Laas, Kendall, Warfield, Devine, Zimmer: A Resolution of the House of Representatives of the Forty-second Legislative Assembly of the State of Montana to the Honorable Richard M. Nixon, President of the United States; the Honorable Rogers Morton, Secretary of the Interior; the Honorable Clifford Hardin, Secretary of Agriculture; the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from Montana; the Honorable Richard Shoup and the Honorable John Melcher, Representatives from Montana; and the Honorable Forest H. Anderson, Governor of Montana, urging investigation into ways of restoring public lands disturbed by recent mining exploration in the Beartooth Mountains within the Custer and Gallatin National Forests.	910, 920.
26	Introduced by Shelden, Baeth: A Resolution of the House of Representatives of the State of Montana asking the United States Army Corps of Engineers and other federal and state officials to consider the needs of the Town of Rexford, Montana, with regards to an adequate water supply, sewer system and highway underpass.	910, 954.
27	Introduced by Cox, Nelstead, Giesick, Mather, Christiansen, Fagg, Glennen, Towe, Darrow, Lockrem, Jackson, Forester, Scott, C. Smith, Gerke, Lucas: A Resolution of the House of Representatives of the State of Montana commending and thanking the executive management of "Little Big Man" for its selection and use of Montana for this epic film."	910, 950.
28	Introduced by Bradley, Darrow, Weeding, Parrish, Anderson, Lien, Swanberg, E. Smith, Towe, Norman, Fagg, Snortland, Swan: A Resolution of the House of Representatives of the State of Montana to the President of the United States, the Secretary of Agriculture and the Montana Congressional Delegation requesting full and adequate public hearings prior to the sale or exchange of federal lands located within the State of Montana.	910.
29	Introduced by Kvaalen, Lund: A Resolution of the House of Representatives of the State of Montana urging the Board of Regents to appoint the executive secretary of the University System as the coordinator of community college districts.	911, 952.
30	Introduced by Marks, Jackson, Mather, Christiansen: A Resolution of the House of Representatives of	

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	the State of Montana directing the Speaker of the House of Representatives to appoint two (2) Representatives on a bipartisan basis to a Joint Congressional Liaison Mined Land Reclamation Law Committee.	911, 919.
31	Introduced by McNamer: A Resolution of the House of Representatives of the State of Montana directing the House to amend its rules to the introduction of bills.	926, 965.
32	Introduced by Bardanouve: A resolution of the House of Representatives of the State of Montana directing the Legislative Council to study, in detail, all aspects of the Montana Water Resources Board.	952, 964, 980.
33	Introduced by Asbjornson, Parrish: A resolution of the House of Representatives of the State of Montana asking the Interstate Commerce Commission to hold a public hearing in Lewistown, Montana, on the application by the Chicago, Milwaukee, St. Paul and Pacific Railroad Company to abandon a portion of its line between Roy Junction and Roy in Fergus County, Montana, Finance Docket No. 26486.	952, 953.
34	Introduced by Marbut: A resolution of the House of Representatives of the State of Montana directing the Secretary of State to include simple resolutions of the Legislative Assembly in the session laws.	952, 953.
HOUSE JOINT RESOLUTIONS REGULAR SESSION		
1	Introduced by Ainsworth, Haines, Schoonover, Knudsen, Warfield, Worden, Swan, Burnett, Robbins, Wolf, Kendall, Towe: "A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the Legislative Council conduct a study of public welfare programs administered by the Department of Public Welfare and report its findings, together with recommendations and any necessary implementing legislation to the Forty-third Legislative Assembly."	8, 54, 61, 68, 89, 652, 687, SA- 733, 783, 785, 787, 818, 923, 980.
2	Introduced by Cox, Lund, Warfield, Lucas, Christiansen, Gunderson, Scott, Harrison: A Joint Resolution of the Senate and House of Representatives of the Forty-second Legislative Assembly of the State of Montana urging the teaching of consumer education in all public schools in Montana.	17, 22, 29, 31, 34, 36, 42, 682, 707, 708, 709, 762, 878.

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3	Introduced by Jackson, Brand, Lockwood, Ellerd: A Resolution of the House of Representatives of the State of Montana urging the Interstate Commerce Commission to consider the hardship upon the people and the State of Montana when ruling upon the abandonment of rail lines in Montana, and to hold hearings on such matters in the area affected.	33, 201, 202.
4	Introduced by Fagg, Lockrem, Glennen, Nelstead, Giesick, Darrow, Cox, Towe, Lucas, Forester: A Resolution of the House of Representatives directing the legislative assembly to declare Dave McNally an honorary member of the forty-second session.	33, 119, 132, 156, 174, 195, 372, 395, 424, 441, 519.
5	Introduced by Brand, Laas, Robbins, Snortland, Anderson, Warfield, Cox, Zimmer, Marbut, Pierce, Kolstad, Bradley, Aspevig, Ainsworth, Worden, Staigmiller, Norman, Lien, T. L. Murphy, Fleming, Fasbender, Devine, Lundgren, Eggebrecht, Yardley, Gunderson, McKittrick: A Joint Resolution of the Senate and House of Representatives urging that the basic national rail passenger system include a minimum of one passenger train route daily through the State of Montana in an east-west direction and daily passenger train service to the State of Montana in a north-south direction.	39.
6	Introduced by Baeth, Sheldon: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Montana Fish and Game Commission, to the Honorable Forrest H. Anderson, Governor, to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, to the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, to the United States Corps of Army Engineers and to the United States Forest Service urging the immediate construction and operation of a fish hatchery at Murry Springs in Lincoln County, Montana.	49, 118, 132, 156, 174, 196, 683, 779, 821, SA-853, 942, 943.
7	Introduced by Haines, Worden, Zimmer, Watt, Lucas: A Joint Resolution of the Senate and House of Representatives to place a bust of former Governor Joseph M. Dixon in the rotunda of the Capitol.	49, 82, 115, 118, 155, 631, 641, 650, 680.
8	Introduced by Kendall, Fitzgarrald, Knudsen, Eggebrecht, Campbell, Glennen: A Joint Resolution of the Senate and House of Representatives request-	

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	ing that the Legislative Council in consultation with the Montana League of Cities and Towns conduct a study of the laws relating to elections for cities and towns and to report its findings and recommendations together with any necessary legislation to the 43rd Legislative Assembly.	58, 199, 254.
9	Introduced by Forester, Falkenstern, Cox, Marbut, C. Smith, Nichols, Fitzgarrald, Eggebrecht, Brand, Lien, Prevost, Fagg, Wolf, Warfield, Lund, Giesick, Asbjornson, Olson, Lockrem, Perry, Johnston, Zody, Baeth, Jackson, Lee, Mehrens, Fleming, Schoonover, Hall, Kendall: A Joint Resolution of the Senate and House of Representatives of the State of Montana to all private and public high schools, colleges and universities in the State of Montana, to all Montana veterans' organizations, to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, and to the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, endorsing ROTC training in high schools, colleges and universities and urging continued support and strengthening of the programs.	84, 104, 156, 182, 183, 206, 793, 827, SA-853, 915, 942, 943.
10	Introduced by Darrow, McGrath, Ainsworth, Aspegvig, Dye, Kvaalen, Haines, Greely: A Joint Resolution of the Senate and House of Representatives directing the State Water Resources Board to assign administrative control of certain lands presently controlled by the State Water Resources Board to the State Fish and Game Commission for state recreation area development.	75, 202, 208, 219, 220, 247, 630, 652, 752.
11	Introduced by Harrison: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the Legislative Council conduct a study of the feasibility and desirability of adopting the Uniform Consumer Credit Code and report its findings to the Forty-Third Legislative Assembly.	84, 367.
12	Introduced by Schoonover, Nichols, J. Murphy, Christiansen: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the State Superintendent of Public Instruction to computerize all relevant statistical data needed to compute the Public School Foundation Program Schedules so as to establish a more realistic program of school financing under Montana law.	84, 134, 174, 197, 199, 235, 792, 858, 859, 889.

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13	Introduced by Haines, Sverdsten, Ainsworth, Baeth, Nichols, Zimmer, Hodges, Worden, Marbut: A Joint Resolution of the Senate and the House of Representatives directing the State Historical Society to adequately portray the history of Montana's logging industry in the State Historical Museum.	95, 176, 183, 199, 235, 651, 677, 678, 741, 866.
14	Introduced by Keller, Snortland, Kolstad, Giesick, Fagg, Clemow, Glennen, Nelstead, Swan, Ulmer, McNamer, Selstad, Aber, Burnett, Fitzgarraird, Darrow, Lundgren, Cox, Lockrem: A Joint Resolution of the Senate and House of Representatives of the State of Montana in support of captured American fighting men and those missing in action.	128, 225, 239, 248, 250, 278, 682, 783, 786, 787, 818, 995.
15	Introduced by Haines, Ainsworth, Marbut, Campbell, Worden, Watt, Norman: A Joint Resolution of the Senate and House of Representatives consenting to supplement the construction of the addition and renovation of the Fieldhouse at the University of Montana, Missoula, Montana.	128, 891, 916, 927, 930, 948, 997.
16	Introduced by Haines, Ainsworth, Campbell, Worden, Marbut, Watt, Norman: A Joint Resolution of the Senate and House of Representatives consenting to supplement the construction of the renovation of the Health Service Building at the University of Montana, Missoula, Montana.	128, 891, 916, 927, 928, 930, 948, 997.
17	Introduced by Haines, Ainsworth, Worden, Campbell, Marbut, Watt, Norman: A Joint Resolution of the Senate and House of Representatives consenting to the construction of a swimming pool at the University of Montana, Missoula, Montana.	128, 891, 916, 927, 928, 931, 948, 997.
18	Introduced by Haines, Ainsworth, Worden, Campbell, Marbut, Watt, Norman: A Joint Resolution of the Senate and House of Representatives consenting to the renovation of the Women's Center at the University of Montana, Missoula, Montana.	128, 892, 916, 927, 928, 931, 948, 997.
19	Introduced by Forester, Aspevig, Laas, Kolstad: A Joint Resolution of the Senate and House of Representatives consenting to the renovation of the Armory Gym at Northern Montana College, Havre, Montana.	128, 892, 916, 927, 928, 931, 948, 997.

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20	Introduced by Forester, Clemow, Jackson: A Joint Resolution of the Senate and House of Representatives consenting to the pre-planning of the Food Service expansion at Western Montana College, Dillon, Montana.	120, 892, 916, 927, 928, 932, 948, 997.
21	Introduced by Forester, Aspevig, Laas, Kolstad: A Joint Resolution of the Senate and House of Representatives consenting to the renovation of Donaldson Hall at Northern Montana College, Havre, Montana.	128, 278, 892, 916, 927, 932, 948, 997.
22	Introduced by Haines, Schoonover: A Joint Resolution of the Senate and House of Representatives calling attention to the need for preservation and protection of Montana's Indian rock paintings and pictographs and directing the Board of Land Commissioners, the State Highway Commission, and the Historical Society of Montana to undertake whatever means necessary to preserve and protect this irreplaceable part of Montana's history and art.	128, 273, 293, 320, 321, 347, 651, 707, 708, 709, 762, 878.
23	Introduced by Kendall, T. Murphy, Sverdsten, Sheldon. A Joint Resolution of the Senate and House of Representatives asking that the Legislative Council conduct a study of the feasibility and desirability of establishing a self-insurance fund for public schools.	129, 410, 441, 515, 536, 555, 792, 834, 854, 855, 857, 980, Ex. 1-7.
24	Introduced by Reapportionment Committee. A Joint Resolution of the Senate and House of Representatives directing the Forty-second Legislative Assembly and the Reapportionment Committees of the Senate and House of Representatives to follow the standards for reapportionment as set forth in this resolution.	129, 208, 219, 222, 247, 258, 876.
25	Introduced by Watt, Burnett. A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the legislative council requesting investigation of the abnormal holding and pricing of land in Montana for housing, commercial and industrial development, and farm and ranch operations; accumulating and making available to the legislative assembly available factual material thereon, and suggesting legislation to discourage investments which have the effect of creating exorbitant land prices.	152, 311.

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26	Introduced by Darrow, Marbut, Watt. A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Montana constitutional convention concerning modernization of the Montana Legislative Assembly.	152, 408, 441, 515, 522, 536, 555, 819, 871, 879, 882, 906, 937, 938, 966, 994, 995.
27	Introduced by Parrish, Forester. A Joint Resolution of the Senate and House of Representatives consenting to the construction of a Fine Arts Center at the University of Montana, Missoula, Montana.	152, 892.
28	Introduced by Haines, Worden, Nichols. A Joint Resolution of the Senate and House of Representatives consenting to the construction of a sports complex at Fort Missoula, University of Montana, Missoula, Montana.	152, 892.
29	Introduced by Fagg, Yardley. A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the legislative council conduct a study of the feasibility of adopting a no-fault motor vehicle insurance plan and report its findings to the Forty-third Legislative Assembly.	152, 367, 380, 425, 441, 555, 651, 677, 678, 741, 866, 980.
30	Introduced by Baeth, Campbell, Kendall, Johnston, Shelden, Gunderson. A Joint Resolution of the Senate and House of Representatives of the State of Montana endorsing the sustained yield and multiple purpose act and urging the elimination of slash burning except to control disease or insects.	152, 225, 239, 248, 250, 279, 821, 889, 890, 891, 916.
31	Introduced by J. Murphy. A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the legislative council conduct a study of the make up, boundaries and number of judges of the judicial districts of the State of Montana and report its findings, together with recommendations and any necessary implementing legislation to the Forty-third Legislative Assembly.	153, 241, 250, 263, 264, 292, 766, 823, 825, 857.
32	Introduced by Jackson, Darrow, Weeding: A Joint Resolution of the Senate and the House of Representatives urging the Constitutional Convention to amend Section 1 and Section 2, Article XVII, of the Montana Constitution, providing the Board of Land Commissioners authority to classify lands	

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	into multiple-use classifications and to change these classifications from time to time as the board may deem necessary.	171, 306, 321, 331, 336, 365, 390, 395, 438, 682, 764, 788, 878.
33	Introduced by Knudsen, Ainsworth, Harper, Ellerd, Prevost: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to soap and detergent manufacturers, the Environmental Protection Agency, and the Montana Department of Health, urging increased research toward finding a substitute for phosphate in detergents.	172, 365, 380, 425, 441, 556, 793, 827, SA-853, 915, 942, 943.
34	Introduced by Knudsen, Lund: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Congress of the United States, the Montana Congressional delegation, and the United States Army Corps of Engineers, urging greater cooperation and consideration by the Corps of Engineers for the fish and wildlife resources of Montana, and urging intensified efforts to improve the aquatic environment of Fort Peck Reservoir.	172, 296, 304, 320, 330, 350, 353, 438, 682, 783, 786, 787, 818, 995.
35	Introduced by Healy, Kosena, Lynch, Lee, Brand, Quilici, Mehrens, Harper, Lombardi, Menahan, T. L. Murphy, Forester: A Joint Resolution of the Senate and House of Representatives consenting to the pre-planning of a physical education building at the Montana College of Mineral Science and Technology, Butte, Montana.	172, 313, 926, 964, 994, 995, 996.
36	Introduced by Healy, Lee, Lynch, Quilici, Brand, Kosena, Mehrens, Harper, Lombardi, Menahan, T. L. Murphy, Forester: A Joint Resolution of the Senate and House of Representatives consenting to the pre-planning of a health center at the Montana College of Mineral Science and Technology, Butte, Montana.	172, 313, 926, 964, 989, 994.
37	Introduced by Healy, Lee, Lynch, Quilici, Brand, Kosena, Mehrens, Harper, Lombardi, T. L. Murphy, Forester: A Joint Resolution of the Senate and House of Representatives consenting to the construction of a petroleum and engineering science building at the Montana College of Mineral Science and Technology, Butte, Montana.	172, 313, 926, 965, 994, 995, 996.

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38	Introduced by Cox, Lucas, Mather, Darrow, Nelstead, Towe, Forester, Fagg, Glennen, Lockrem, Campbell, Greely, Devine, Robbins, Bradley: A Joint Resolution of the Senate and House of Representatives requesting the Legislative Council to study the feasibility of home rule for municipalities and to make recommendations to the Forty-second Legislative Assembly	172, 295, 304, 320, 321, 347, 610, 622, 680, 980.
39	Introduced by Brown, Burnett, Fleming, Yardley, Lockrem, Perry, Patrick: A Joint Resolution of the House of Representatives and the Senate instructing the Legislative Council to investigate and explore tenure policies in the Montana University System for the purpose of making recommendation regarding college tenure to the Forty-third Legislative Assembly.	172, 382, 395, 502, 505, 556, 792, 858, 859, 889.
40	Introduced by Dye, Swan, Ellerd, Schoonover, Lockwood, Worden, Jackson, Robbins, Gunderson, Weeding: A Joint Resolution of the Senate and House of Representatives consenting to the construction, improvement and equipment of physical education, athletic and recreational facilities at Montana State University.	172, 341, 352, 375, 380, 438, 821, 876, 877, 889.
41	Introduced by Jackson, Anderson, Weeding, Darrow, Christiansen, Brand, T. L. Murphy, Parrish, Sverdsten, Lockwood, Nelstead, Snortland, Selstad, Bradley, Schoonover, Shelden, C. Smith, Kosena, Quilici, Lee, Staigmiller, Spilde, Dye, Worden, Clemow, Swan, Gunderson, Devine, Bardanouve, Mather, Baeth, Yardley, Towe, Brown, Marks, Zody, Kendall, Lund: A Joint Resolution of the Senate and House of Representatives urging that all state and federal agencies and private organizations concerned with the management of Montana's rangelands cooperate in the implementation of the Montana Rangeland Resource Program of the Montana State Soil Conservation Committee.	172, 306, 321, 331, 337, 360, 566, 591, 603, SA-637, 677, 678, 741, 866.
42	Introduced by Fagg, Darrow: A Joint Resolution of the Senate and House of Representatives directing the forthcoming Constitutional Convention to enumerate in the new constitution the rights of the people to clean air, pure water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment.	173, 365, 380, 425, 441, 556.

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43	Introduced by Kolstad, Snortland, Robbins, Christiansen, Schoonover, Fleming, Lundgren, Brown, Ulmer, Devine, Anderson, Edland, J. Murphy, Mather, Laas: A Joint Resolution of the Senate and House of Representatives directed to the State Department of Planning and Economic Development reemphasizing the need for rational solutions to the pollution problems of Montana.	173, 306, 321, 331, 337, 360, 792, 834, 854, 855, 857, Ex. 1-7.
44	Introduced by Lund, Keller, Schoonover, Cox: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directed to the Honorable Richard M. Nixon, President of the United States of America, the Honorable Melvin Laird, Secretary of Defense, the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, and the Director of Selective Service urging fair and equitable administration of the Selective Service Act and a review of national policy, and priorities under the intent of the Selective Service Act.	173, 297, 304, 320, 321, 347, 752, 781, 822, SA-854, 915, 942, 943.
45	Introduced by Gunderson, E. Smith, Johnston, Giesick, Christiansen, Bardanouve, Kolstad, Eggebrecht, Greely, Fasbender, Laas, Staigmiller, Anderson, Devine, Snortland, Robbins, Lien, McKittrick, Edland, Kvaalen, Fitzgarrald, Wolf, Kendall, T. L. Murphy, Jackson, Parrish, Swan, Aber, Falkenstern, Whitney, Hemstad, Marks, Perry, Mehrens, Lombardi, Healy, Zody, Baeth, Cox, Prevost, Fagg, Weeding, Sverdsten, Fleming, Haines, Brand, Norman, Zimmer, Burnett, Mather, Harrison, Aspevig, Bradley, Schoonover, Swanberg, Hodges, Clemow, Himsl, Lundgren, Forester, Selstad, Keller, Lockrem, Towe, Yardley, Harper, Lynch, Quilici, Watt, Lund: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Montana Agricultural Stabilization and Conservation Service State Committee to effect immediate major adjustments in Montana's conserving base acres to give Montana's grain producers an equitable basis with other competing wheat-growing states under the Federal Farm Program.	173, 209, 220, 237, 248, 250, 279, 372, 395, 424, 441, 519.
46	Introduced by Weeding, Bardanouve: A Joint Resolution of the Senate and House of Representatives requesting the Constitutional Convention to study	

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	the desirability of amending Section Five (5) Article Sixteen (XVI) of the Montana Constitution to provide for the office of Clerk of District Court to be consolidated with other elective county offices.	173, 351, 352, 375, 380, 439, 682, 764, 788, 878.
47	Introduced by Towe, Selstad, Keller, T. L. Murphy: A Joint Resolution of the Senate and House of Representatives of the State of Montana directing the Legislative Council study, if the courts or Constitutional Convention does not set, the subject of single-or dual-member districts for Montana's House and Senate.	173, 258, 506.
48	Introduced by the Reapportionment Committee (by request): A Joint Resolution of the Senate and House of Representatives requesting the Constitutional Convention to consider provision for a bipartisan Legislative Apportionment Commission.	173, 258, 563, 573.
49	Introduced by Lucas, Ulmer, Harrison: A Joint Resolution of the Senate and House of Representatives requesting Congress to call a convention for the purpose of amending the United States Constitution to provide for intergovernmental sharing of federal income tax revenue.	174, 444, 506, 525, 536, 557, 925.
50	Introduced by Knudsen, Edland: A Joint Resolution of the Senate and House of Representatives of the State of Montana directing the Legislative Council to study the feasibility of establishing a set of standards, statewide plans for construction of elementary and secondary school buildings in Montana.	174, 355, 364, 390, 395, 439, 792, 858, 859, 889, 980.

INDEX TO SENATE BILLS

Bold face figures refer to roll calls: Thus 296.

NOTE: Title Index for Extraordinary Session Senate Bills appears on Page 175. Second Extraordinary Session, Page 185.

NOTE: Title Index for Extraordinary Session House Bills appears on Page 165. Second Extraordinary Session, Page 177.

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1	Introduced by James: A bill for an act entitled: "An act for the codification and general revision of laws relating to public schools and making this act effective upon passage and approval; amending Section 10-307, R.C.M., 1947, and repealing Sections 75-101 through 75-107, 75-1201.1, 75-1202 through 75-1206, 75-1301 through 75-1308, 75-1311, 75-1312, 75-1313, 75-1315, 75-1316, 75-1317, 75-1319, 75-1320, 75-1401 through 75-1406, 75-1501 through 75-1510, 75-1512 through 75-1526, 75-1528 through 75-1535, 75-1601 through 75-1626, 75-1628 through 75-1632, 75-1632.1, 75-1633 through 75-1647, 75-1701 through 75-1706, 75-1708, 75-1709, 75-1710, 75-1712, 75-1713, 75-1713.1, 75-1714 through 75-1723, 75-1723.1, 75-1724 through 75-1730, 75-1801 through 75-1813, 75-1813.1, 75-1814 through 75-1823, 75-1825 through 75-1834, 75-1901 through 75-1905, 75-2001 through 75-2009, 75-2011 through 75-2017, 75-2101 through 75-2105, 75-2201 through 75-2215, 75-2301, 75-2302, 75-2303, 75-2401 through 75-2405, 75-2405.1, 75-2406 through 75-2411, 75-2501, 75-2506, 75-2511 through 75-2516, 75-2518 through 75-2522, 75-2701 through 75-2709, 2709.1, 75-2709.2, 75-2710 through 75-2716, 75-2801, 75-2802, 75-2901 through 75-2910, 75-3101, 75-3102, 75-3104 through 75-3125, 75-3201, 75-3202, 75-3203, 75-3308 through 75-3311, 75-3401 through 75-3414, 75-3501, 75-3503 through 75-3511, 75-3610, 75-3611, 75-3612, 75-3612.1, 75-3612.2, 75-3612.3, 75-3613 through 75-3624, 75-3701, 75-3706, 75-3709 through 75-3714, 75-3716 through 75-3720, 75-3722 through 75-3729, 75-3729.1, 75-3734 through 75-3742, 75-3801 through 75-3806, 75-3901 through 75-3946, 75-4001 through 75-4007, 75-4101, 75-4103 through 75-4113, 75-4115 through 75-4118, 75-4120, 75-4120.1, 75-4120.2, 75-4120.3, 75-4121 through 75-4144, 75-4146 through 75-4153, 75-4201 through 75-4228, 75-4230 through 75-4242, 75-4244 through 75-4248, 75-4309 through 75-4323, 75-4413 through 75-4430, 75-4501 through 75-4506, 75-4511, 75-4512, 75-4514, 75-4515, 75-4516.1, 75-4516.2, 75-4517, 75-4518, 75-4518.1, 75-4519 through 75-4527, 75-4529 through 75-4535, 75-4537, 75-4538, 75-4540, 75-4601 through 75-4607, 75-4609 through 75-4614, 75-4701 through 75-4709, 75-4801 through 75-4809, 75-5001 through 75-5007, 75-5101, 75-5310 through 75-5317, 75-5401 through 75-5405, 75-5501 through 75-5508, R.C.M., 1947."	28, 30, 39, 40, 42, 99.

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2	Introduced by James: A bill for an act entitled: "An act to be known as the Montana Higher Education Code for the codification and revision of the laws pertaining to higher education, including the Montana University System; repealing Sections 75-107, 75-108, 75-109, 75-216 through 75-223, 75-301 through 75-314, 75-401 through 75-416, 75-501 through 75-515, 75-601 through 75-611, 75-701 through 75-738, 75-801 through 75-811, 75-901 through 75-907, 75-1001 through 75-1006, 75-1101 through 75-1104, 75-1201.1, 75-2014, 75-4707, R.C.M., 1947; providing a severability clause and providing the effective date of this act."	28, 29, 30, 39, 40, 43, 76.
4	Introduced by Drake: A bill for an act entitled: "An act to amend Section 13-903, R.C.M., 1947, to provide for the rescission of contracts by buyers from 'door-to-door' salesmen."	108, 112, 212, 237, 247, 248, 275, 276, 592, 639, 688, 891.
5	Introduced by Drake: A bill for an act entitled: "An act amending Section 26-332, R.C.M., 1947, concerning restrictions about method of catching, possession, and sale of fish."	71, 84, 202, 219, 236, 250, 501.
6	Introduced by McDonald, Lyon and Moore: A bill for an act entitled: "An act to authorize and direct the Attorney General of Montana on behalf of the Legislative Assembly and the Secretary of State of Montana to institute a declaratory judgment proceeding under the Montana Uniform Declaratory Judgment Act (Title 93, Chapter 89, R.C.M., 1947) in the Montana Supreme Court under Rule 17 of the Montana Rules of Appellate Civil Procedure (Section 93-3001, R.C.M., 1947) to determine certain constitutional questions affecting the Constitutional Convention and the eligibility of persons to be delegates to such Constitutional Convention."	46, 50, 54, 56, 59, 60.
7	Introduced by Hafferman, DeWolfe, Flynn, Rostad Rugg: A bill for an act entitled: "An act to amend Section 32-2605, R.C.M., 1947, to provide for payment of judgments obtained by building contractors, and the apportionment thereof to state highway construction funds."	227, 598, 639, 689, 891.
8	Introduced by McKeon, Bennett, Reardon: A bill for an act entitled: "An act amending Section 80-1701, R.C.M., 1947, relating to the location and function of the Galen State Hospital by adding to those functions the care and treatment of those persons who might benefit from long term intensive physical rehabilitative measures."	31, 50, 655.

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9	Introduced by Deschamps, Moritz, Flynn, Hibbard, Klindt, Carl, Manning, Bennett, Cochrane, Bertsche, Rostad, Hafferman, Graham, Northey: A bill for an act entitled: "An act to amend Section 32-2144, R.C.M., 1947, to provide a maximum speed limit varying by type of highway."	139, 151, 365.
10	Introduced by Groff, Dzivi, Thiessen, Bertsche, Lynch, Mackay, Moore, Flynn, Rugg, McGowan: A bill for an act entitled: "An act to amend Section 84-1901, R.C.M., 1947, lowering the per cent of funds for aid to the public schools."	484, 498, 714.
12	Introduced by Rostad, Rugg, Hazelbaker: A bill for an act entitled: "An act amending Section 16-4307, R.C.M., 1947, providing for the appointment of a trustee for a hospital district when no nominations are submitted."	71, 85, 719, 780, 794, 891.
13	Introduced by Turnage, Sheehy, Vainio, Manning, Hazelbaker: A bill for an act entitled: "An act to provide a period of ten (10) years within which an action for damages arising out of certain services or work on improvements to real property must be commenced; and providing an effective date."	312, 313, 593, 619, 632, 707.
14	Introduced by Goodheart, Bollinger, Mackay, McOmber, Sheehy: A bill for an act entitled: "An act to amend Section 84-1855, R.C.M., 1947, relating to procedure for refunds of gasoline license tax."	484, 498, 597, 611, 719, 780, 794, 810, 812, 814.
15	Introduced by Moore, Lynch, Drake, Turnage: A bill for an act entitled: "An act to amend Section 67-1602.1, R.C.M., 1947, to validate all joint tenancies created by direct conveyance prior to July 1, 1963."	72, 85, 176, 197, 206, 239.
16	Introduced by Moore, Lynch, Drake, Turnage: A bill for an act entitled: "An act to amend Sections 91-5301, 91-5304, 91-5305, 91-5308, and 91-5310, R.C.M., 1947, relating to proceedings in lieu of probate."	108, 112, 212.
17	Introduced by Moore: A bill for an act entitled: "An act to amend Section 15-22-119, R.C.M., 1947, to change the time for filing annual reports."	93, 96, 135, 182, 196, 210.
18	Introduced by Sheehy, Bennett, Bollinger, Northey, Vainio: A bill for an act entitled: "An act supplementing Title 69, Chapter 49, R.C.M., 1947, by providing for the control of the amount of fluoride	

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	ion content of water for a public water supply in towns or cities having a population of 1,000 persons or greater, providing for the administration of such control by the State Department of Health, and providing for the renumbering of Sections 69-4907 and 69-4908, R.C.M., 1947."	357, 749.
19	Introduced by McGowan, Deschamps: A bill for an act entitled: "An act to extend the time for preparation of preliminary survey for a water conservancy district and amending Section 89-3405, R.C.M., 1947."	139, 151, 599, 620, 639, 689, 891.
20	Introduced by McGowan, Deschamps: A bill for an act entitled: "An act to extend the time for preparation of feasibility study for a water conservancy district and amending Section 89-3407, R.C.M., 1947."	139, 151, 599, 620, 639, 689, 891.
21	Introduced by Turnage, Sheehy, Klindt, Hazelbaker, Keenan, James: A bill for an act entitled: "An act prescribing uniform procedures for state administrative agencies, including: requirement for adoption of procedural rules; procedures for adoption, amendment or repeal of rules, including emergency rules; filing and publication of rules; judicial notice of rules; notice and hearing requirements for contested cases; procedures for contested case hearings; procedures for decision making in contested cases; judicial review of contested case decisions; declaratory rulings by agencies; declaratory judgments by courts regarding the validity and application of agency rules; subpoenas, subpoena enforcement and compelling testimony for agency proceedings; and right to representation in agency proceedings."	372, 373, 764, 812, 814, 896.
22	Introduced by Northey, Klindt, Carl, Lynch, Stephens, Boylan, Deschamps, Turnage, Flynn, Mitchell: A bill for an act entitled: "An act to amend Section 26-201, R.C.M., 1947, defining mountain lion as a game animal; and to correct spelling of the word 'stizostedion'."	327, 328, 714, 758, 768, 818.
23	Introduced by Klindt, Northey, Stein, Mitchell, Cotton, Graham, Lowe: A bill for an act entitled: "An act amending Section 26-202.1, R.C.M., 1947, to increase the special license fee for taking grizzly bear from one dollar (\$1) to five dollars (\$5) for residents and from twenty-five dollars (\$25) to thirty-five dollars (\$35) for nonresidents and to require a special license fee of five dollars (\$5) for residents and thirty-five dollars (\$35) for nonresidents for taking black or brown bear."	139, 151, 253, 276, 312, 313, 645, 686, 723, 787.

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24	Introduced by McGowan, Turnage, Dzivi: A bill for an act entitled: "An act relating to possession of explosives and destructive devices with intent to injure persons or property; setting penalties therefor."	565, 569, 744, 781, 795.
26	Introduced by Manning, Sheehy: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and providing that this act may be cited as "the 1971 bond validating act"; containing a repealing clause and providing an effective date."	72, 85.
28	Introduced by Bollinger, Bennett, Hafferman: A bill for an act entitled: "An act to amend Section 27-612, R.C.M., 1947, to include perishable food dealers."	275, 276, 641, 684, 723, 787.
29	Introduced by Rosell, Turnage, James, Brownfield, McCallum, Drake, Lowe, Cochrane, Graham: A bill for an act entitled: "An act providing for the creation of a confidential relationship between student and school personnel."	227, 228, 594, 619, 633, 707.
30	Introduced by Hibbard, Lynch: A bill for an act entitled: "An act to amend Section 59-538, R.C.M., 1947, providing per diem allowance for state employees."	71, 85, 184, 200, 219, 236, 250, 787.
34	Introduced by Thiessen, Deschamps, Bertsche: A bill for an act entitled: "An act amending Section 91-3906, R.C.M., 1947, to provide that the order discharging an executor or administrator must be made within two (2) years."	357, 358, 650, 673, 780, 795, 877.
37	Introduced by Bollinger, Shea: A bill for an act entitled: "An act amending Sections 69-5214 and 69-5215, R.C.M., 1947, by providing for the combining of the functions of the Comprehensive Health Planning Advisory Council with the Hospital and Long-term Care Facility Advisory Council and changing the amount of reimbursement to members while serving on the council."	565, 569, 749, 767.
39	Introduced by Stephens, Moritz, Manning, Thiessen, Dzivi, Mathers, Moore, James: A bill for an act entitled: "An act to provide for an intoxication test and consent thereto, for persons arrested for driving while under the influence of intoxicating liquor, providing for suspension upon refusal of	

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	operator to submit to test, providing for an appeal of license suspension."	344, 345, 626, 653, 690, 787.
40	Introduced by Stephens, Moritz, Manning, Mathers, Carl, James, Thiessen: A bill for an act entitled: "An act to amend Section 32-2142, R.C.M., 1947, reducing the amount of alcohol necessary to presume a person under the influence of intoxicating liquor and defining the basis for determining the same, and providing an effective date."	484, 498, 580, 626, 653, 690, 787.
42	Introduced by Mackay: A bill for an act entitled: "An act to revise the Montana Food, Drug and Cosmetic Act to include fair packaging and labeling; amending Sections 27-702, 27-703 and 27-721, R.C.M., 1947."	227, 228, 627, 653, 690, 787.
43	Introduced by Hanks, Flynn: A bill for an act entitled: "An act amending Sections 94-1427 and 94-1428, R.C.M., 1947, to increase the amount a candidate may expend for himself for offices of the legislative assembly only."	510, 512, 719, 780, 795.
44	Introduced by Thiessen, Stephens, Flynn, Mathers: A bill for an act entitled: "An act relating to the disposition, sale, lease, mortgaging and pledging of electric and telephone cooperatives; and amending Section 14-521, R.C.M., 1947, and providing an effective date."	276, 294, 320, 335.
45	Introduced by Mitchell, Northey, Klindt, Turnage, McGowan, Cotton, Bertsche, Gilfeather, Lowe: A bill for an act entitled: "An act amending Sections 26-1502, 26-1505, and 26-1507, R.C.M., 1947, and adding new sections establishing the policy of the State of Montana on protection of fishing streams, providing for submission of plans for construction and hydraulic projects affecting such streams to the Montana Fish and Game Commission, for review of such plans and exempting certain projects and parties."	510, 512, 647, 686, 723, 787.
46	Introduced by James, Mackay: A bill for an act entitled: "An act to require each state agency to submit an annual written report to the Governor rather than a biennial report; amending Section 82-4002, R.C.M., 1947."	71, 85, 595, 620, 649, 691, 787, 877.
47	Introduced by Groff, Hibbard, Hanks, Mackay, Bennett, Siderius: A bill for an act entitled: "An act to include as persons eligible for medical assistance benefits persons who are in state operated institutions; and not requiring counties to reim-	

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	burse the state for payments made on behalf of persons in state operated institutions; amending Sections 71-211, 71-402, 71-604, 71-1202, 71-1512, 71-1516, 71-1517, 71-1519, R.C.M., 1947."	275, 276, 688, 748, 781, 796.
50	Introduced by Lynch, Turnage: A bill for an act entitled: "An act to allow Highway Patrol to check driver's licenses, amending Section 95-618, R.C.M., 1947."	71, 85, 272, 287, 302.
51	Introduced by Lynch, Turnage and Moore: A bill for an act entitled: "An act to establish a law concerning cancellation of automobile liability insurance policies."	187, 188, 586, 604, 613, 682, 706, 820, 877.
53	Introduced by Lynch, Sheehy, Turnage, Reardon, McKeon, Moore: A bill for an act entitled: "An act to amend Section 41-1605, R.C.M., 1947, regarding the duties of the Department of Labor and Industry."	108, 112.
54	Introduced by Lynch, Reardon, Shea: A bill for an act entitled: "An act establishing certificates of ownership and records of theft of snowmobiles, regulating operation of snowmobiles, providing exemptions, transfer of interest, prohibiting licensing and registration by political subdivisions, establishing enforcement, and providing penalties for any violation of this act; repealing Sections 53-1001 through 53-1011, R.C.M., 1947."	386, 387, 759, 780, 796, 896.
55	Introduced by Turnage, Bennett, Broder, Carl, Mitchell, Northey, Deschamps, McCallum: A bill for an act entitled: "An act to amend Section 69-3508.1 and 69-3508.2, R.C.M., 1947, prohibiting discharge of wastes from boats and providing a penalty."	187, 188, 575, 590, 656.
56	Introduced by Mathers, Brownfield, Bennet, Dzivi, Thiessen, Broeder, Siderius: A bill for an act entitled: "An act to establish budgeting and financing procedures for community college districts and repealing Section 75-8121, R.C.M., 1947."	327, 328, 748, 767, 791, 825, 872, 880.
60	Introduced by Deschamps, Lynch, Stephens, Moore, Drake, Carl, Northey and Turnage: A bill for an act entitled: "An act to amend Section 94-35-249, R.C.M., 1947, to prohibit the possession of any key or device specifically designed to open or break any parking meter, coin telephone, or other	

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	vending machines dispensing goods or services and to increase the penalties provided by Section 94-35-249, R.C.M., 1947."	187, 188, 650, 686, 724, 787.
61	Introduced by Turnage, Lynch: A bill for an act entitled: "An act to amend Section 95-1703, R.C.M., 1947, providing for dismissal of actions."	510, 512, 649, 686, 724, 787.
62	Introduced by Turnage: A bill for an act entitled: "An act to amend Section 53-109, R.C.M., 1947, relating to the transfer of the title or interest of an owner or owners in or to a motor vehicle."	519, 520.
63	Introduced by Drake, Siderius, Klindt, Rosell, McCallum, Bollinger, Hibbard, Northey, Hazelbaker: A bill for an act entitled: "An act to amend Section 11-602, R.C.M., 1947, by removing therefrom authority to waive the park dedication requirement, and substitute therefor the right to accept a cash donation in lieu of said land donation and providing for authority to waive the park requirement for planned unit developments, and providing for governing body approval of all plats or subdivisions and requiring the governing body to establish regulations for development of plats of subdivisions."	139, 152, 177, 187, 274, 287, 303, 320, 335, 413.
64	Introduced by Bennett, Flynn: A bill for an act entitled: "An act to amend Section 69-4610, R.C.M., 1947; providing that the confidentiality of all information concerning public venereal disease work be protected, preserved and remain inviolate; providing a definition of the word 'information' in said section; and providing that such information is privileged and production thereof may not be required in legal proceedings."	93, 95, 627, 653, 691, 787.
65	Introduced by Lowe, Northey, Groff, Vainio, Stein, Graham, Moore: A bill for an act entitled: "An act providing for the licensing and regulation of outfitting and guiding of hunting and fishing parties in the State of Montana; providing for the regulation of nonresident hunters; the protection of private property; the protection of environmental resources; and to repeal Sections 26-901, 26-902 and 26-903.2, R.C.M., 1947."	484, 498, 644, 687, 779, 796.
66	Introduced by Northey, Broeder and Moritz: A bill for an act entitled: "An act to amend Section 32-3317, R.C.M., 1947, by removing the requirements for marking gross weight upon vehicles, motor trucks, truck-tractor, trailer or semitrailer:	

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	operated upon highways and repealing Section 32-3311, R.C.M., 1947."	187, 188, 366, 390, 424, 501, 573, 602 , 622.
67	Introduced by Turnage, Bennett: A bill for an act entitled: "An act to amend Section 87-106, R.C.M., 1947, to provide that permanent partial disability settlements of workmen's compensation, occupational disease, or similar laws, prior to a return to the labor market, shall not disqualify an injured claimant from then receiving unemployment compensation benefits, if he is otherwise eligible."	312, 313, 510, 591, 603 , 622.
68	Introduced by Carl, Northey, Boylan, Drake, McCallum, Flynn: A bill for an act entitled: "An act amending Section 26-302, R.C.M., 1947, to require big game hunter to wear not less than four hundred (400) square inches of hunter orange material on his head, chest, and back; making an exception for archers hunting during a season for archers only; and providing that a failure to wear hunter orange material shall not be evidence of contributory negligence in a civil action."	372, 373, 745, 781, 797, 870, 871, 900, 901, 905, 989.
70	Introduced by McGowan, Rugg, Mitchell, Moritz, Mathers, Dzivi, Bertsche, McCallum, Rosell: A bill for an act entitled: "An act regulating mining operations; providing for the reclamation of mined lands; and repealing Sections 50-1001 through 50-1017, R.C.M., 1947."	357, 358, 679, 779, 782, 797.
71	Introduced by Highways and Transportation: A bill for an act entitled: "An act creating a committee to conduct a comprehensive study of the administration and operation of the Montana Highway Department in cooperation with the highway commission; specifying an immediate effective date."	227, 228, 598, 639, 691 , 891.
74	Introduced by Gilfeather, Hafferman, Bertsche, Turnage, Moore, Sorensen, Rosell, Sheehy: A bill for an act entitled: "An act relating to freedom from discrimination for women as a civil right in employment and public accommodations; amending Sections 64-301, 64-302, and 64-303, R.C.M., 1947."	108, 112, 588, 604, 613 , 643.
77	Introduced by Bennett, Hibbard, Deschamps, Mitchell, Turnage, Dzivi, Flynn: A bill for an act entitled: "An act to revise the refuse disposal districting law by amending the service fee section; amending the section relating to duties and powers of the board of directors; adding a section allowing for creation of joint refuse disposal districts;	

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	adding a section defining duty of county attorney; amending Sections 69-6002, 69-6007, and 69-6010, R.C.M., 1947, and repealing Section 16-1031, R.C.M., 1947."	258, 626, 653, 692 , 787.
78	Introduced by Gilfeather, Siderius, Drake, Flynn, Russell, Sheehy, Dzivi: A bill for an act entitled: "An act amending Sections 14-143, 14-145, 14-148, 14-149, and 14-150, Revised Codes of Montana, 1947, all relating to the Montana Credit Union Act, providing for regulating the organization of credit unions, defining its powers, management duties of the board of directors, officers and committees and the operation, regulation and inspection of credit unions."	139, 152, 609, 653, 692 , 818.
80	Introduced by Graham, Rugg: A bill for an act entitled: "An act to amend Sections 4-114 and 4-121, R.C.M., 1947, relating to the hours liquor stores shall be open."	519, 520, 595, 619, 633 , 707.
81	Introduced by Hibbard, Drake, Hazelbaker, McOmber, Flynn, Groff: A bill for an act entitled: "An act to amend Section 89-1811, R.C.M., 1947, to authorize the County Treasurer to pay to an irrigation district certain funds collected on behalf of the district for reserve fund purposes and for the United States contract fund."	108, 112, 620, 633 , 787.
83	Introduced by Graham, Cochrane, McKeon, Hazelbaker, Sorensen, Rehberg, Sheehy: A bill for an act entitled: "An act to provide for the issuance by licensed motor vehicle dealers of stickers to be affixed to the rear window of new and used vehicles purchased from such dealers, to remain thereon during the ten (10) day grace period for making application for registration of such vehicle; providing a nonregistration penalty; requiring that in cases of sales of used motor vehicles to persons other than licensed dealers, the dealer forward to the county treasurer, either personally or by first class mail, within three (3) days following delivery of the vehicle, the certificate of ownership and certificate of registration with an application for registration executed by the new owner, and a copy of the sticker affixed to said vehicle by the dealer; providing that in such cases and upon compliance by the dealer with such requirements, title to said motor vehicle shall be deemed to have passed to the purchased as of the date of delivery of said vehicle; amending Sections 53-108, 53-109, 53-146, and 53-147, Revised Codes of Montana, 1947; and repealing all acts and parts of act in conflict herewith."	327, 328, 598, 653, 692 , 787.

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86	Introduced by Moore: A bill for an act entitled: "An act to amend Section 45-502, R.C.M., 1947, to provide that attorney's fee may not be recovered under Section 93-8614, R.C.M., 1947, unless materialmen give notice to landowners prior to delivery of material that they plan to use a lien to recover any losses not recoverable from contractors."	227, 228, 585, 596, 604.
88	Introduced by Mathers, Groff (by request): A bill for an act entitled: "An act amending Section 84-1502, R.C.M., 1947, to provide for a net operating loss deduction in computing net income for corporation license tax purposes, and to delete the deduction in subsection (6) relating to insurance companies which deduction has no application to the law."	312, 313, 645, 687, 724, 869, 870, 871, 945, 967.
91	Introduced by Hafferman, Bennett: A bill for an act entitled: "An act to make Montana traffic laws applicable to Forest Development Roads except as additional or conflicting rules may be designated by the United States Forest Service for portions thereof designated as Special Service Roads, and to confer law enforcement jurisdiction upon the Montana Highway Patrol and sheriffs of this state to enforce the traffic laws."	372, 373, 628, 677, 693, 787.
92	Introduced by Bennett, Hibbard, McOmber, James, Cochrane: A bill for an act entitled: "An act establishing that the use of certain whole blood, plasma, blood products, and blood derivatives by physicians and hospitals for the purpose of injecting or transfusing any of them into the human body is a service and not a sale; providing that blood banks shall not be liable for such products disbursed by them in the absence of negligence if such products have been tested by certain testing procedures and found by such tests to not be dangerous to the health of a prospective recipient, and requiring the labeling by such blood banks of such products sold."	519, 520, 711, 759, 768, 891.
93	Introduced by Rehberg, Lynch: A bill for an act entitled: "An act to revise the water and waste water operators certification act by attaching the certification board to the State Board of Health; amending Section 69-5903, 69-5908, and 69-5910."	566, 569, 620, 653, 693, 896.
94	Introduced by Lynch: A bill for an act entitled: "An act to amend Section 43-106.1, R.C.M., 1947, to provide for the number of Senators, Senatorial Districts and Apportionment."	579, 580, 873, 911, 912.

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95	Introduced by Lynch, McKeon: A bill for an act entitled: "An act providing for parents surviving minor decedents in proceedings in lieu of probate where estates are less than ten thousand dollars (\$10,000), amending Sections 91-5301, 91-5304, 91-5305, 91-5308, and 91-5310, R.C.M., 1947."	510, 512, 657.
99	Introduced by McDonald, Lyon, Rehberg, Hafferman, Bertsche, Mitchell, Stein, Moore: A bill for an act entitled: "An act to provide that all salaries of members of the Highway Patrol be paid out of funds of the Highway Department."	519, 520, 760, 780, 811, 812, 816, 868, 870, 871, 898, 989.
101	Introduced by Lynch, Reardon: A bill for an act entitled: "An act amending Section 25-306, R.C.M., 1947, raising justices of peace salaries."	565, 569, 710.
102	Introduced by Lynch, Boylan, Moore: A bill for an act entitled: "An act to provide false arrest insurance for sheriffs and sheriffs' departments."	386, 387, 710.
104	Introduced by Dzivi, Siderius, Bennett, Turnage: A bill for an act entitled: "An act to amend Section 92-1305, R.C.M., 1947."	275, 277, 510, 591 603, 622.
105	Introduced by Dzivi, Siderius, Bennett, Turnage: A bill for an act entitled: "An act to amend Section 92-1304, R.C.M., 1947, defining occupational disease."	275, 277, 509, 591, 613, 643.
106	Introduced by Siderius, Bennett, Turnage, McDonald: A bill for an act entitled: "An act to amend Section 92-709, R.C.M., 1947, to provide payment of compensation for a 'healing period' in addition to that allowed for loss of a specified member of the body."	312, 313, 607, 653, 693, 787.
107	Introduced by Siderius, Bennett, Drake, Turnage: A bill for an act entitled: "An act to amend Section 92-1004, R.C.M., 1947, to raise the maximum bonding requirement to \$100,000.00, and providing for a corporate surety bond, approved by the board, in lieu of deposit of bonds."	275, 277, 607, 653, 694, 787.
108	Introduced by Drake, Lynch, Siderius: A bill for an act entitled: "An act to amend Section 92-1005, R.C.M., 1947, to raise the minimum assessment from \$10.00 to \$200.00."	312, 313, 607, 653, 694, 987.
109	Introduced by McKeon, Siderius, Graham: A bill for an act entitled: "An act to amend Section 92-706,	

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	R.C.M., 1947, so as to delete the five thousand dollars (\$5,000) limitation in payment of medical benefits; delete references to hospital contracts; and provide for stabilization of hospital fees and charges."	386, 388, 642, 685, 725, 891.
110	Introduced by Keenan, McDonald, Broeder: A bill for an act entitled: "An act to amend Section 92-902, R.C.M., 1947, raising the assessment that the board may levy from two-hundredths of one percent to three-hundredths of one percent."	312, 313, 642, 684, 725, 787.
111	Introduced by Keenan, Hafferman, Lynch, Graham: A bill for an act entitled: "An act to amend Section 71-1001, R.C.M., 1947, and Section 71-1003, R.C.M., 1947, to define the disability necessary to qualify for silicosis benefits, and provide for payment of benefits to beneficiaries in certain cases."	312, 313, 642, 684, 725, 787.
112	Introduced by McKeon: A bill for an act entitled: "An act to prohibit the removal of patients from state custodial institutions without permission of the staff."	312, 313, 642, 685, 725, 891.
113	Introduced by McKeon: A bill for an act entitled: "An act to prohibit the sale or distribution of alcoholic beverages and drugs to patients at state custodial institutions."	243, 244, 627, 677, 695, 891.
114	Introduced by Bennett, Flynn, Stephens, Brownfield, Turnage, Sheehy: A bill for an act entitled: "An act to amend Title 69, Chapter 52, R.C.M., 1947, by amending Section 69-5201, R.C.M., 1947, by deleting subsection (2) (b), further defining long-term care facility to include intermediate care facility, and adding the term "construction" to the definitions; amending Section 69-5212, R.C.M., 1947, to require the filing of an application, and receiving approval from the State Department of Health for the construction of hospitals, hospital related facilities or long-term care facilities which shall be accomplished in a manner which is orderly, economical and consistent with the effective development of necessary and adequate facilities for providing for the health care of the people of Montana; and amending Section 69-5216, R.C.M., 1947, to clarify the development rules and standards for facilities and equipment."	510, 512, 784, 812, 813.
115	Introduced by McKeon, Siderius, Bennett, Turnage: A bill for an act entitled: "An act to amend Section 92-701, R.C.M., 1947, to raise compen-	

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	sation rates during the period of total temporary disability."	327, 328, 642, 684, 726, 787.
116	Introduced by McKeon, Siderius, Bennett, Turnage: A bill for an act entitled: "An act to amend Section 92-1403, R.C.M., 1947, to delete the words 'away from home'."	312, 314, 607, 639, 695, 891.
117	Introduced by Dzivi, Bennett: A bill for an act entitled: "An act amending Section 40-4108, R.C.M., 1947, and requiring disability insurance and workmen's compensation policies to provide the insured shall have full freedom of choice in the selection of any duly licensed psychologist for treatment of illness or injury."	187, 188, 643, 686, 687, 737, 768, 891.
119	Introduced by McDonald, Deschamps, McCallum, Flynn: A bill for an act entitled: "An act to repeal Chapter 6, Title 41, R.C.M., 1947."	187, 188, 649, 686, 726, 787.
120	Introduced by McDonald, Deschamps, McCallum, Flynn: A bill for an act entitled: "An act to amend Section 92-422, R.C.M., 1947, to re-define a 'week' to mean five working days."	312, 314, 607, 653, 695, 787.
121	Introduced by Hafferman, Drake, McDonald, Mackay: A bill for an act entitled: "An act to amend Section 92-208, R.C.M., 1947, to empower the board to issue rules and regulations covering, and in all cases require approval of, rejection of coverage by officers of private corporations."	312, 314, 607, 639, 696, 787.
124	Introduced by Turnage, McGowan: A bill for an act entitled: "An act to provide for centralized filing of all notices of appropriation with the Montana Water Resources Board and providing a copy for the respective county clerks; providing for the automatic appointment of the director of the Montana Water Resources Board as referee in any adjudication suit; providing public notice of the referee's hearing and providing for appeal; providing a new procedure for final adjudication of water rights; amending Sections 89-810, 89-848, 89-849, 89-851, 89-852, 89-853, 89-854, and 89-855, and repealing Section 89-850, R.C.M., 1947."	566, 569, 744.
126	Introduced by Graham, Sorensen, Mitchell, Hazelbaker: A bill for an act entitled: "An act controlling the distribution, sale, application, disposal and transportation of pesticides and devices; creating a temporary advisory committee; providing registration of pesticides and licensing of appli-	

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	cators; providing procedure for appeals; providing penalties and an effective date."	580, 582, 753, 761, 762, 782, 811, 812, 817, 868, 870, 871, 966, 976, 977, 998.
127	Introduced by Lynch, Broeder, Siderius: A bill for an act entitled: "An act to amend Section 92-1121, R.C.M., 1947, to delete the provision that salary and wages paid during actual vacation periods shall not be computed in computing payroll."	312, 314, 607, 639, 696, 787.
128	Introduced by McGowan, Rugg: A bill for an act entitled: "An act to provide for the filing of certain forms with the Montana Water Resources Board relative to ground water appropriation; amending Sections 89-2911 and 89-2913, R.C.M., 1947."	484, 498, 623, 653, 696, 891.
130	Introduced by Rosell, Mathers, Brownfield, James, McCallum, Keenan, Lowe, Hanks: A bill for an act entitled: "An act to amend Section 75-6808, R.C.M., 1947, relating to pecuniary interests of a trustee in schools of his district."	227, 228, 576, 591, 613, 643.
132	Introduced by Sheehy, Lynch: A bill for an act entitled: "An act concerning consumer protection; defining deceptive trade practices; providing for damages for persons aggrieved by violations of this act; and providing a severability clause."	520, 764, 767.
133	Introduced by Hafferman, Broeder, Stephens: A bill for an act entitled: "An act to amend Section 92-411, R.C.M., 1947, so as to define an 'employee' to include vocational rehabilitation and other on-the-job trainees, whether or not under any appointment or contract of hire, and provide that members of a partnership and owners of sole proprietorships may elect to be considered an 'employee' for workmen's compensation coverage purposes."	312, 314, 608, 653, 697, 869, 870 871, 905, 956.
134	Introduced by Northey, McCallum, Hafferman: A bill for an act entitled: "An act to amend Sections 28-408, 28-410 and 28-412, R.C.M., 1947, providing for reduction or management of fire hazards, caused by cutting forest products on private forest lands, to be in keeping with modern and progressive forest practices and more effective fire control; providing for an increase not to exceed two dollars and twenty-five cents (\$2.25) per thousand feet log scale for fire hazard reduction on private forest lands; providing for discretion in the State Forester as to whether a cash bond will be re-	

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	quired of the owner or operator when a fire hazard reduction agreement is executed; and repealing Sections 28-401 through 28-403."	275, 277, 285, 575, 591 614, 787.
138	Introduced by Klindt, Lowe, Flynn, Shea: A bill for an act entitled: "An act to provide that the hunting or fishing license or camping permit of any person convicted of littering public or private lands while hunting, fishing or camping shall be forfeited for ninety (90) days."	257, 277, 588, 604, 615, 643.
139	Introduced by Stephens, McKeon: A bill for an act entitled: "A bill to provide a guaranty association for all insurers, to protect the public from insurer insolvency and providing for assessment among association members under certain conditions."	187, 188, 587, 604, 615, 707.
140	Introduced by Lynch, Turnage: A bill for an act entitled: "An act to amend Section 93-2908, R.C.M., 1947, providing for a penalty for filing a claim for the direct payment of money in an improper venue, if the plaintiff will not stipulate for such change within ten (10) days after request and a change of venue is granted."	227, 228, 593, 619, 634, 787.
142	Introduced by Thiessen, Mackay: A bill for an act entitled: "An act amending Section 75-8601, R.C.M., 1947, relating to waiver of nonresident tuition for students."	566, 569, 748, 781, 797.
144	Introduced by Northey, Klindt, Hazelbaker, Mitchell, Bertsche: A bill for an act entitled: "An act to provide for the protection and conservation of all birds of the orders falconiformes, straiigiformes, anseriformes, ciconiiformes and coraciiformes (commonly called hawks, owls, waterfowl, herons and kingfishers, respectively); protection and conservation of certain birds of the order passeriformes (blackbirds and jays); to change exemptions from general provisions to read predatory mammals instead of predatory animals; to change the names of certain birds exempted from general provisions to conform to the American Ornithological Union's nomenclature; to exempt certain introduced birds of the order passeriformes (starlings) and columbiformes (rock doves) from general provisions; to provide for licensing and regulation of the sport of falconry; and to amend Sections 26-215 and 26-501, R.C.M., 1947."	386, 388, 657, 737, 769, 891.
145	Introduced by Lynch, Reardon, Vainio: A bill for an act entitled: "An act to amend Section 75-6520,	

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	R.C.M., 1947, providing for the establishment of high school districts."	227, 228, 577, 591, 616, 707.
146	Introduced by Lynch, Graham, McDonald, Dzivi, Rugg: A bill for an act entitled: "An act to repeal the agricultural exemption, amending Section 92-202, R.C.M., 1947, and 92-305, R.C.M., 1947, and repealing Section 92-1102, R.C.M., 1947."	566, 568, 621, 717, 753.
147	Introduced by Bertsche, Mathers, Mackay, McKeon: A bill for an act entitled: "An act to provide that the Department of Administration develop a wage and salary plan for state employees for submission to the 1973 Legislature and be granted immediate authority to develop a personnel classification plan; providing that salary increases, changes in position classifications and changes in number of employees must be approved by the Department of Administration; amending Sections 50-902 and 75-310, R.C.M., 1947, and repealing Section 59-901, R.C.M., 1947."	579, 580, 783, 812, 815.
148	Introduced by McKeon: A bill for an act entitled: "An bill to provide for control and regulation of the affairs of insurance holding companies; prescribe rules and regulations governing acquisition and disposal of insurance holding companies; subjecting domestic insurers to examination by the Insurance Department; providing for application to be made to the Insurance Commissioner to approve certain transactions; providing for judicial review; defining terms.... and providing penalties; repealing Sections 40-5501 through 40-5508, R.C.M., 1947."	484, 499, 586, 604, 616, 707.
149	Introduced by McKeon, Flynn: A bill for an act entitled: "An act to require dust control on slum ponds, settling ponds and lagoons used by industrial concerns, businesses or commercial enterprises, and providing a penalty for their failure to prevent dust and debris from being spread by wind from such ponds and lagoons."	386, 388, 648, 673, 722.
150	Introduced by Drake, Moore, McKeon, Lynch: A bill for an act entitled: "An act to provide that agreements in contracts actually entered into in Montana purporting to change the place that the contract is entered into to a state other than Montana are void and illegal."	312, 314, 656.
155	Introduced by Rosell, Mathers, Rugg, Cotton, James: A bill for an act entitled: "An act to amend Sections 75-7125 and 75-8305, R.C.M., 1947, to allow	

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	trustees of school districts to employ licensed attorneys to assist the county attorney in connection with school board business."	580, 581, 626, 653, 684, 685, 779, 798, 877.
156	Introduced by Lowe, Sheehy, Flynn, Hazelbaker: A bill for an act entitled: "An act to include payment for clothing and personal needs by the county for the care of dependent and neglected children, amending Sections 10-524 and 10-525, R.C.M., 1947."	510, 512, 720, 780, 798, 877.
157	Introduced by Moritz, Sheehy, Lynch, Northey: A bill for an act entitled: "An act authorizing the Board of Railroad Commissioners of the State of Montana to grant temporary motor carriers authority in cases of immediate and urgent need; prescribing the maximum periods thereof; and repealing Section 8-130 of the Revised Codes of Montana, 1947."	344, 345, 641, 684, 726, 787.
159	Introduced by Sheehy, Deschamps: A bill for an act entitled: "An act to establish minimum uniform standards and regulations for ambulance services as required by public interest."	579, 581, 720, 780, 798, 877.
160	Introduced by Deschamps, Manning: A bill for an act entitled: "An act to amend Section 32-2197, R.C.M., 1947, relating to overtaking and passing a school bus."	227, 228, 366, 390, 424, 501, 573, 601, 622.
164	Introduced by Drake, Northey, Bertsche, Thiessen: A bill for an act entitled: "An act to authorize the mayor and commission plan of government for a countywide municipality by providing for the extension of a single municipal government with boundaries coextensive to that of a county and by merging certain governmental functions of any county in the state with cities and towns situated therein, establishing executive, legislative and judicial branches of government therefor, and defining the powers thereof, allowing certain cities and towns to remain separate and repealing all acts or parts of acts in conflict herewith."	565, 569, 644, 686, 687, 722, 756.
165	Introduced by Siderius, Turnage, Flynn, Bennett: A bill for an act entitled: "An act to amend Section 87-117, R.C.M., 1947, to increase the per diem pay of members of the Employment Security Commission."	275, 277, 595, 619, 634, 707.

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166	Introduced by Rugg, Graham, Rostad, Mathers, McDonald, Brownfield, Mackay: A bill for an act entitled: "An act to amend Sections 46-801, 46-802, 46-803 and 46-804, R.C.M., 1947, to require inspection of livestock before a change of ownership."	510, 512, 596, 620, 634, 677, 697, 787.
167	Introduced by Stephens, Bennett, James, DeWolfe: A bill for an act entitled: "An act amending Sections 60-131.1, 60-131.2, 60-131.3, 60-131.6 and 60-131.9, R.C.M., 1947, to extend the provisions of Sections 60-131.1 through 60-131.13, R.C.M., 1947, to include unitization of pools or parts thereof in a field for primary recovery of gas, and providing an effective date."	372, 373, 610, 653, 697, 787.
168	Introduced by Sheehy, McKeon: A bill for an act entitled: "An act amending Section 68-901, R.C.M., 1947, relating to the Public Employees' Retirement System to provide for full retirement for public employees upon completion of thirty (30) or more years of public service."	579, 581, 595.
169	Introduced by Lynch, Stephens, Rehberg, Lowe, McKeon, Hibbard, Rosell, Drake, Shea, Carl, Flynn, Reardon: A bill for an act entitled: "An act amending Section 25-605, R.C.M., 1947, to increase the salaries of county treasurers, clerk and recorder, clerk of court, county attorneys, sheriffs, county assessors, county superintendents of schools, and of county surveyors in counties where county surveyors now receive salaries."	565, 569, 741, 767, 782, 791, 799, 877.
170	Introduced by Reardon, Keenan, Hafferman, Shea, Goodheart, Lynch, Sheehy: A bill for an act entitled: "An act amending Sections 50-101, 50-102, 50-108, and 50-118, R.C.M., 1947, adding Section 50-119 and repealing Sections 50-103, 50-104, 50-105, 50-106, 50-107, 50-109, 50-110, 50-111, 50-112, 50-113, 50-114, 50-115, 50-116, 50-117, R.C.M., 1947, to update the law so that it conforms and is equal to the Federal Metal and Nonmetallic Safety Act in order that Montana may qualify as and have what is known as a 'State Approved Plan'."	566, 568, 717, 759, 769, 891.
171	Introduced by Keenan, Reardon, Hafferman, Lynch, Goodheart, Sheehy, Shea: A bill for an act entitled: "An act amending Sections 69-1501, 69-1502, 69-1503, 69-1504, 69-1505, 69-1507, 69-1508, 69-1509, 69-1510, 69-1511, 69-1512, 69-1513, 69-1514, 69-1515, 69-1516, 69-1517, 69-1601, 69-1602, 69-1603, 69-1604, 69-1607, 69-1701, 69-1702, R.C.M., 1947, and repealing Sections 69-1518, 69-1605, and 69-1703, R.C.M., 1947, to clarify and update sec-	

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	tions of the Laws of Montana relating to boilers and engines."	580, 581, 715, 759, 769, 829.
173	Introduced by Boylan, Hanks: A bill for an act entitled: "An act amending Section 40-4745, R.C.M., 1947, to provide for inclusion of foreign stock corporations and an immediate effective date."	565, 570, 642, 684, 727, 787.
174	Introduced by James, Brownfield, Rugg, Thiessen, Boylan, Stein, Bennett, Bertsche, Stephens, Goodheart, Vainio: A bill for an act entitled: "An act to regulate trade in drugs by prohibiting the dispensing of drugs by medical practitioners and their participation in profits from the dispensing of such products, except under certain circumstances, and for other purposes."	579, 581, 784, 812, 813, 817.
175	Introduced by James, Rugg, Thiessen, Stein, Stephens, McGowan: A bill for an act entitled: "An act to amend Section 66-905, R.C.M., 1947, relating to the admission of dentists to practice in the state."	510, 513, 721, 780, 799, 877.
176	Introduced by James, Mackay, Goodheart: A bill for an act entitled: "An act to eliminate certain duplicate reporting requirements and provide that the Teachers' Retirement Board, the Montana Historical Society Board of Trustees, and the Montana State Bureau of Mines and Geology be subject to the same reporting requirements as are other state agencies under Section 82-4002, R.C.M., 1947; amending Sections 44-523, 75-2703, and 75-608, R.C.M., 1947."	510, 513, 747, 781, 782.
177	Introduced by McCallum, Turnage, Dzivi, Sheehy, McKeon: A bill for an act entitled: "An act to amend Sections 11-1814 and 16-3705, R.C.M., 1947, to provide for the waiving of residency requirements for police officers, deputy sheriffs or marshals."	227, 228, 596, 620, 634, 707.
178	Introduced by McCallum, Rugg, Moore, Rostad, Rossell, Sorensen, McGowan, McOmber: A bill for an act entitled: "An act amending Section 26-301, R.C.M., 1947, to include stockkilling mountain lions in subsection (5)."	327, 328, 714, 758, 770, 818.
179	Introduced by Gilfeather, Turnage, Sheehy: A bill for an act entitled: "An act to amend Section 84-301, R.C.M., 1947, to include trailers affixed to land, mobile homes and all of or the first seventeen thousand five hundred dollars (\$17,500) of	

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	value of improvements on real estate, clarification of eligibility and increasing maximum retirement benefits eligible for classification of property, and providing an effective date."	357, 358, 646, 687, 727, 896.
180	Introduced by Bertsche, Cochrane: A bill for an act entitled: "An act to amend Sections 82-3303 and 82-3306, R.C.M., 1947, by adding two statutory divisions to the Department of Administration; requiring the Controller to provide central data processing, duplicating and copying facilities to state agencies in the Capitol Complex and to establish regulations relating to the procurement and utilization of data processing equipment, programs and data processing communications networks."	484, 499, 746, 781, 799, 896.
181	Introduced by Gilfeather: A bill for an act entitled: "An act to amend Section 84-4946, R.C.M., 1947, to provide for monthly payments to the State Board of Equalization of amounts withheld, if the amount withheld is fifty dollars (\$50) or more in each quarterly period of any year, and providing an effective date."	312, 314, 629.
183	Introduced by McKeon, Dzivi, DeWolfe, McDonald, Turnage, Reardon, Keenan, Lynch, Vainio, Goodheart, Hanks, Stephens, Carl, Nees, Lyon, Rehberg, Lowe, Rosell, McCallum, Mathers, Drake, Northey: A bill for an act entitled: "An act to amend Section 25-501, R.C.M., 1947, as amended, to increase salaries of certain elected state officials."	579, 581, 746, 781, 800, 896.
184	Introduced by McKeon, Dzivi, Drake, DeWolfe, McDonald, Lynch, Mitchell, Turnage, Sorensen, Hanks, Reardon, Vainio, Stephens, Carl, Goodheart, Keenan, Nees, Northey, Rehberg, Lowe, Rosell, McCallum, Mathers: A bill for an act entitled: "An act to fix salaries for the district court judges; amending Section 93-303, R.C.M., 1947."	579, 581, 764, 810.
185	Introduced by Bertsche, Graham: A bill for an act entitled: "An act to amend Section 82-1002, Revised Codes of Montana, 1947, relating to the duties of the State Examiner and his assistants."	510, 513, 746, 781, 800, 877.
189	Introduced by Rehberg: A bill for an act entitled: "An act to amend Section 61-112.2, R.C.M., 1947, to allow reasonable attorney's fees for the successful recovery of damages for malicious destruction of property by persons under eighteen (18) from the parents, as provided for in Section 61-112.1, R.C.M., 1947."	484, 499, 649, 687, 727, 787.

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192	Introduced by Cotton: A bill for an act entitled: "An act amending Section 75-8511, Chapter 85 of Title 75, of the Higher Education Laws Recodification of the 42nd Session Laws of Montana by deleting Sections (3) and (4) in their entirety."	484, 499.
194	Introduced by Keenan, McKeon: A bill for an act entitled: "An act amending Sections 53-106, 53-118, 53-120 and 53-122 relating to motor vehicle number plates, motor vehicle dealer's license, replacing motor vehicle number plates, and registration fees of motor vehicles.	580, 583, 628, 677, 683, 722, 770, 829.
195	Introduced by Keenan, McKeon: A bill for an act entitled: "An act relating to certificates of registration and ownership; amending Section 53-107, R.C.M., 1947."	519, 520, 628, 677, 683, 737, 770, 818.
196	Introduced by Keenan, McKeon: A bill for an act entitled: "An act amending Sections 53-101, 53-108, and 53-114, R.C.M., 1947, relating to the duties of the registrar of motor vehicles, renewal of registration of a motor vehicle and application for registration of motor vehicles."	519, 520, 628, 677, 683, 737, 771, 818.
198	Introduced by Turnage, Boylan: A bill for an act entitled: "An act requiring persons excavating in any public street, alley, right-of-way dedicated to public use or utility easement to obtain information as to existence therein of underground facilities, and providing civil penalties for failure so to do."	484, 499, 596, 620, 635, 787.
199	Introduced by Reardon, Lynch, Vainio, Sheehy, Rostad, Flynn, Rosell, Shea, Hazelbaker, McKeon: A bill for an act entitled: "An act to provide free license plates to permanently and totally disabled veterans of the Armed Forces of the United States whose disability is service connected."	386, 388, 719, 780, 801, 829.
200	Introduced by Cotton, Lynch, Keenan, Flynn, Hanks, Reardon, Gilfeather: A bill for an act entitled: "An act relating to the school foundation program; providing for changes in financial schedules for the maximum general fund budgets for elementary and high schools; amending Section 75-6905; and providing an effective date."	565, 570, 683, 711, 759, 779, 801, 868, 870, 871, 940, 974, 987.
201	Introduced by Siderius, Cochrane, Bennett, Flynn, Broeder: A bill for an act entitled: "An act re-	

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	lating to white canes for the blind; repealing Section 32-1143, 32-1144, 32-1145, R.C.M., 1947."	357, 358, 627, 653, 698, 787.
202	Introduced by Sheehy: A bill for an act entitled: "An act providing that minors may give legal consent to obtain psychiatric or psychological counseling where need for such counseling is urgent; that such consent shall be binding on the minor and not subject to later disaffirmance by reason of such minority; that the consent of no other persons shall be necessary in order to authorize care or services provided to such minor; providing that physicians who provide care or services under the terms of this act shall incur no civil or criminal liability, except that such immunity shall not apply to negligent acts or omissions; and providing an effective date."	372, 374, 627, 677, 683, 728, 891.
203	Introduced by Sheehy, Reardon, Flynn, Goodheart: A bill for an act entitled: "An act providing for the conservation of the health of workers of the state; providing for prevention, abatement, and control of occupational diseases; providing penalties for violation; and repealing Sections 69-4201, 69-4202, 69-4203, and 69-4205, R.C.M., 1947."	510, 513, 721, 780, 801, 877.
204	Introduced by Sheehy, Hazelbaker: A bill for an act entitled: "The Montana Electric Land Use Act."	579, 581, 609, 653, 684, 737, 771, 778, 789, 790, 812, 816, 908, 909.
205	Introduced by Sheehy, Hazelbaker: A bill for an act entitled: "An act to amend the Motor Carrier Act setting the fees required for filing various documents."	386, 388, 598, 620, 635, 707.
206	Introduced by Sheehy, Hazelbaker: A bill for an act entitled: "An act to amend Sections 8-103 and 8-104.4 of the Revised Codes of Montana, 1947, relating to regulation of motor carriers by the Board of Railroad Commissioners; empowering the board to authorize different rates for service within the same places when such different rates are justified by the differing character of service to be rendered."	484, 499, 628, 677, 698, 722, 729, 787.
207	Introduced by Sheehy, Hazelbaker: A bill for an act entitled: "An act to amend Motor Carriers Act, Title 8, Chapter 1, R.C.M., 1947, by adding a new subsection (a) allowing the Railroad and Public Service Commission to assess fines for violation	

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	of the Motor Carrier Act after proper hearing and increasing fines for violation of the act."	484, 499, 598, 620, 635, 707.
208	Introduced by Sheehy, Hazelbaker: A bill for an act entitled: "An act to amend Title 8-110, 8-111, 8-111.1, Revised Codes of Montana, 1947, all relating to the certificate required of Class C motor carriers—contents of application—fee: excepting from such requirements all Class C Motor Carriers operating pursuant to the terms and conditions of a United States government contract, agency or department thereof; providing for a certificate of public convenience and necessity for all Class C Motor Carriers operating pursuant to the terms and conditions of a United States government contract, agency or department thereof, such transportation deemed a transportation movement subject to the provisions of the Montana Motor Carrier Act, Revised Codes of Montana, 1947, 8-101 et seq. providing that the written contract and its presentation to the board shall be deemed sufficient proof of public convenience and necessity according to the terms and conditions within the contract; providing further that a Class C certificate of public convenience and necessity may be issued to that motor carrier without requirement of time and place for public hearing, said certificate issued only during the duration of the United States government contract; providing further for renewal of said certificate; amending Revised Codes of Montana, 1947, 8-111 exempting all Class C Carriers operating pursuant to the terms and conditions of a United States government contract, agency or department from requirement of public hearings—notice all matters to be considered; amend Revised Codes of Montana, 1947, 8-111.1 from requirement of time and place of public hearing or issuance of board order."	484, 499, 598, 620, 636, 707.
209	Introduced by Sheehy, McKeon, Reardon, Shea, Bennett, Drake, Goodheart, Siderius, Keenan, McCallum, Carl, Boylan: A bill for an act entitled: "An act to provide revisions to 'The Occupational Disease Act of Montana' in compliance with the mandate of the Congress of the United States as required by the provisions of Public Law 91-173, of the 91st Congress; and providing for the payment of benefits for total disability or death to a coal miner due to defined pneumoconiosis substantially to, or greater than, the amount of benefits prescribed by said Public Law and to prescribe standards and definitions for determining death or total disability due to pneumoconiosis, which are substantially equivalent to those established by said Public Law and regulations by the Secretary of Health, Education and Welfare; and providing for the submission of any claim for bene-	

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	fits within three years of discovery of total disability or death from said disease; and providing for the liability of prior and successor operators for all benefits for miners at such mine on or after December 30, 1969; amending Section 92-1303, R.C.M., 1947, relating to definitions of disablement and pneumoconiosis; amending Section 92-1310, R.C.M., 1947, relating to liability of last employer; amending Section 92-1312, R.C.M., 1947, relating to time in which a claim may be presented; amending Section 92-1315, R.C.M., 1947, relating to procedure for medical examination; amending Section 92-1321, R.C.M., 1947, relating to compensation benefits payable under said act; and providing an appendix setting forth appropriate charts for determination of disability and providing standards for interpretation thereof; and providing an effective date.” 344, 345, 785, 812, 815, 896.	
210	Introduced by Mathers, Mackay, Thiessen, Graham: A bill for an act entitled: “An act providing for procedure to secure refund of inheritance tax, and amending Section 84-726, R.C.M., 1947.” 565, 570, 710.	
211	Introduced by Mathers, Mackay, Thiessen, Graham: A bill for an act entitled: “An act repealing Section 91-4438, R.C.M., 1947, and amending Section 91-4439, R.C.M., 1947, to establish a statute of limitations for amending inheritance tax reports except in cases of changes by Internal Revenue Service and providing an effective date.” 580, 581, 710.	
212	Introduced by Mathers, Mackay, Thiessen, Graham: A bill for an act entitled: “An act amending Sections 84-2412 and 84-3508, R.C.M., 1947, to delete provisions enabling the State Board of Equalization to pay operating expenses out of fees collected prior to their deposit as revenue to the general fund.” 275, 277, 721, 780, 802, 877.	
213	Introduced by Mackay, Mathers, Thiessen, Graham: A bill for an act entitled: “An act to amend Sections 59-701.1, 59-701.2, and 82-109, R.C.M., 1947, to provide for the implementation of a modified accrual basis of accounting for state expenditures pursuant to the provisions of House Joint Resolution Number 9, adopted by the 1969 Legislative Assembly.” 344, 346, 746, 781, 802, 877.	
214	Introduced by Mackay, Mathers, Thiessen, Graham: A bill for an act entitled: “An act to amend Sections 79-201 and 79-202, R.C.M., 1947, relating to the general fiscal duties of the state treasurer: repealing Sections 79-801, 79-804, 79-806, 79-807, 79-808, and 79-810, R.C.M., 1947.” 566, 568, 624, 653, 698, 787.	

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215	Introduced by Mackay, Mathers, Thiessen, Graham: A bill for an act entitled: "An act to amend Sections 79-414, 79-415, 79-603 and 82-110, R.C.M., 1947, to establish more precise fiscal control measures and accounting procedures."	386, 388, 745, 781, 802, 877.
217	Introduced by Cotton, Reardon, Sheehy, Lynch, Keenan, Flynn, James, Hazelbaker, Siderius, Mathers, Rugg, Goodheart, McKeon, Stephens: A bill for an act entitled: "An act to require common carriers by rail to maintain motor vehicles used for the transportation of workers in a safe condition; requiring the Board of Railroad Commissioners to make and enforce rules and regulations establishing minimum standards for such motor vehicles; providing a penalty for the violation of such regulations; and providing an effective date."	519, 520, 658, 737, 738.
219	Introduced by Rosell, Rehberg, McCallum, Brownfield, Mathers, James, Keenan, Rugg, Rostad, Cotton, Sheehy: A bill for an act entitled: "An act to amend Section 75-6303, R.C.M., 1947, providing a district judge with the discretionary power to excuse a child from compulsory school attendance."	484, 500, 594, 698, 891.
220	Introduced by Thiessen, Graham, Mathers, Mackay: A bill for an act entitled: "An act to amend Section 79-1202, R.C.M., 1947, to provide that moneys in the long and short term investment funds may be invested in interest bearing certificates of deposit and to provide that moneys in the long term investment fund may be invested in obligations of the United States Postal Service."	312, 314, 586, 603, 616, 670, 682, 706, 764, 765, 791, 877.
221	Introduced by Mackay, Thiessen, Graham, Mathers: A bill for an act entitled: "An act to amend Section 79-2312, R.C.M., 1947, providing that state agencies shall assist the Legislative Auditor in obtaining information for audit purposes; repealing Section 79-2313, R.C.M., 1947."	344, 346, 746, 781, 782.
222	Introduced by Thiessen, Graham, Mackay, Mathers: A bill for an act entitled: "An act to amend Sections 67-2211, 67-2212, 67-2213, 67-2214, 67-2215, 67-2216, 67-2217, 67-2218, 67-2219, 67-2220, 67-2221, 67-2222, 67-2223, 67-2224, 67-2225, and 67-2226, R.C.M., 1947, providing for the disposition of unclaimed property in the State of Montana by transferring the duties from the office of the State Treasurer to the State Board of Equalization."	386, 388, 649, 687, 728, 818.

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223	Introduced by Deschamps, Bertsche: A bill for an act entitled: "An act to amend the reporting date and the expiration date of the interlocal cooperation commission, amending Section 11-4412 and 11-4416, R.C.M., 1947, enacted as Sections 12 and 16, Chapter 129, Laws of 1969."	372, 374, 596, 620, 636, 707.
225	Introduced by Groff: A bill for an act entitled: "Power of Regents to appoint University security departments; extent of authority of University security departments."	565, 570, 656, 737, 772, 870, 871, 922, 924, 926, 970, 989.
226	Introduced by Mackay: A bill for an act entitled: "An act to amend Sections 66-2326, 66-2337 and 66-2344, R.C.M., 1947, to provide for a comprehensive definition of the term "Practice of Engineering", to provide for the increase of fees for registration, and to provide for the repeal of all acts and parts of acts in conflict therewith."	579, 581, 715, 757, 772.
228	Introduced by Drake, DeWolfe: A bill for an act entitled: "An act to amend Section 93-8625, R.C.M., 1947, relating to who may sue without costs."	312, 314, 593, 619, 636, 707.
229	Introduced by Lyon, Rehberg, McKeon, McDonald, Lowe: A bill for an act entitled: "An act amending Section 25-604, R.C.M., 1947, relating to salaries of deputies."	565, 570, 655, 737, 780, 803, 896.
230	Introduced by Hafferman: A bill for an act entitled: "An act amending Section 26-201, R.C.M., 1947, to provide for the genus acipenser (sturgeon) to be a gamefish."	372, 374, 588, 604, 617, 643.
231	Introduced by Rehberg: A bill for an act entitled: "An act to revise the Sanitarians Registration Council Act by placing administration of the act with the Department of Health under policy guidance from the Board of Health; amending Sections 69-3401, 69-3402, 69-3403, 69-3404, 69-3405, 69-3407, 69-3408, and 69-3409, R.C.M., 1947,"	484, 500, 721, 780, 803, 877.
232	Introduced by Shea, Siderius, Bennett, Flynn, Turnage, Dzivi, Mathers: A bill for an act entitled: "An act to provide compensation for loss of hearing resulting from exposure to industrial noise."	327, 329, 749, 781, 804, 909, 966, 972, 989.

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234	Introduced by Sheehy: A bill for an act entitled: "An act to amend Section 72-118, R.C.M., 1947, relating to power of the Board of Railroad Commissioners to change, alter, or amend classifications, rates and rules for transportation by railroad; providing methods for changing such classifications, rates and rules and for investigation by the Board of Railroad Commissioners; repealing all acts or parts of acts in conflict herewith and providing that the act shall be effective on passage and approval."	312, 314, 715, 759, 772, 818, 829.
235	Introduced by Mathers, Brownfield, Thiessen: A bill for an act entitled: "An act amending Sections 75-8103, 75-8105, 75-8106, 75-8107, 75-8108, 75-8109, 75-8110 and 75-8119, R.C.M., 1947, providing that community college districts shall be under the supervision of the Board of Regents and that said board shall appoint a coordinator of community college districts."	357, 358, 748, 767, 791, 825, 872, 880, 953.
236	Introduced by Mathers, Brownfield, Thiessen: A bill for an act entitled: "An act to add a new section in Title 75, Chapter 81, numbered 75-8126, R.C.M., 1947, and to amend Section 75-8112, R.C.M., 1947, prohibiting a community college district from granting baccalaureate degrees and requiring final approval by the legislature upon recommendation of the Board of Regents for the establishment of a new community college district."	327, 329, 748, 767, 791, 825, 872, 881, 896.
238	Introduced by Graham, Mackay, Mathers, Thiessen: A bill for an act entitled: "An act to amend Section 4-153, R.C.M., 1947, by deleting the provision that the Liquor Control Board members may receive samples of liquor for quality determination, and by providing that liquor samples received for testing shall be limited to one (1) twenty-five (25) fluid ounce representative which shall be forwarded to a qualified chemical laboratory for analysis and providing an effective date."	566, 568, 595, 619, 637, 707.
240	Introduced by Goodheart, Turnage: A bill for an act entitled: "An act to amend Title 84, Chapter 18, R.C.M., 1947, by adding a new section Designated 84-1840.1 allocating funds to be used by the Highway Commission for the participation with railroads for erection of railroad grade crossing protection on roads and streets except those on the Interstate, primary or urban systems; providing for reimbursement of the fund at the beginning of each fiscal year; providing that the Highway Commission shall select the crossings to	

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	be protected; authorizing counties and cities to use funds allocated to them from gasoline tax money for participation in grade crossing protection; repealing all acts and parts of acts in conflict herewith, provided, however, that Sections 72-164 to 72-168, R.C.M., 1947, inclusive, are not repealed."	580, 582, 760.
242	Introduced by Turnage, Stein, by request: A bill for an act entitled: "An act amending Section 80-2210, R.C.M., 1947, relating to recommendation of sentence of persons under the age of twenty-one (21) years who had been sentenced to prison and to the commitment of such person to the Department of Institutions and to the transfer of such person to a juvenile facility by providing that prisoners of the state prison of the age of twenty-five (25) or younger may be transferred from the prison to the Swan River Youth Forest Camp."	386, 388, 656, 737, 773, 891.
243	Introduced by Brownfield, Bennett, Mathers: A bill for an act entitled: "An act amending Section 11-1814, R.C.M., 1947, to provide for reducing the entrance age of policemen to twenty (20)."	344, 346, 586, 603, 617, 643.
244	Introduced by Lowe, Cochrane, Bertsche, Deschamps, Shea, Manning: A bill for an act entitled: An act to provide that a city or town shall not circumvent any competitive bidding procedures with respect to the letting of a contract for a public work or construction project under certain circumstances by dividing a public work or construction project into several contracts, separate work orders or similar devices."	327, 329, 564, 591, 639, 653, 699, 787.
245	Introduced by Lowe, Cochrane, Bertsche, Deschamps, Shea, Manning: A bill for an act entitled: "An act to provide that a county shall not circumvent any competitive bidding procedures with respect to the letting of a contract for a public work or construction project under certain circumstances by dividing a public work or construction project into several contracts, separate work orders or similar devices."	312, 315, 626, 653, 699, 787.
246	Introduced by Bertsche, Moritz: A bill for an act entitled: "A bill to amend Section 10-611, R.C.M., 1947, by providing for temporary commitment to the Department of Institutions of a child of the age of sixteen (16) or over for a period not to exceed thirty (30) days for the purpose of evaluation as to such child's suitability for commitment to a youth forest camp; providing for return to the court of such children found not suitable for such placement; providing for commitment to a	

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	youth forest camp of such children found suitable; providing for payment of transportation costs."	519, 520, 639, 749, 781, 804, 896.
247	Introduced by Northey, McCallum, Deschamps: A bill for an act entitled: "An act to allow and regulate the use of dogs for hunting mountain lion."	327, 329, 714, 758, 773, 818, 891.
248	Introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to amend Section 31-135, R.C.M., 1947, increasing the life of a driver's license from two (2) to four (4) years; and providing a renewal provision."	484, 500, 760, 780, 804, 877.
249	Introduced by Bollinger, Cotton, Brownfield: A bill for an act entitled: "An act amending Section 75-7810, R.C.M., 1947, by requiring the home counties of mentally and physically handicapped children to pay tuition to local school districts where such children attend regardless of whether such children are residing at a state institution and shall include transportation payments."	312, 315, 625, 677, 699.
250	Introduced by McGowan, Mackay, Mitchell, Rugg, McCallum, Rosell, Bertsche, Moritz: A bill for an act entitled: "An act to amend the location and assessment work requirements upon mining claims; amending Section 50-701 (3), R.C.M., 1947, to provide for alternative methods of performing location work and providing for group location work upon up to ten (10) contiguous claims; amending Section 50-702, R.C.M., 1947, to provide that failure to perform location work or record certificate of location shall create a prima facie presumption of intent to abandon; amending Section 50-704, R.C.M., 1947, to provide alternative methods of performing annual assessment work and providing for group assessment work upon contiguous claims and to provide that recording of the affidavit is mandatory, and that the affidavit be verified and that failure to record the assessment affidavit is prima facie evidence of failure to perform such labor and that the owner has abandoned same."	566, 570, 747, 781, 782, 812, 814, 908, 909, 912, 933, 981, 985.
251	Introduced by James: A bill for an act entitled: "An act to amend Section 75-8427, R.C.M., 1947, by deleting unnecessary language."	312, 315, 748, 781, 805, 877.
252	Introduced by James, Stephens: A bill for an act entitled: "An act amending Sections 16-4801, 16-4803, 16-4804 and 16-4805, R.C.M., 1947, removing	

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	the county clerk as the clerk of the Park Board, providing for the employment of a secretary and/or superintendent to provide for the disbursement of funds, relating to the validity of claims to be paid, and providing an effective date."	372, 374, 656, 737, 779, 805, 877.
253	Introduced by McKeon: A bill for an act entitled: "An act to amend Section 11-1821, R.C.M., 1947, providing that after completing twenty-five (25) years or more of active service if a policeman or officer elects to serve an additional one (1) to ten (10) years then the payment from the Police Reserve Fund shall be increased at the rate of one percent (1%) per year of such additional service up to a maximum of sixty percent (60%) of the last year's average salary received as a monthly compensation for service as an active member of the police department."	565, 570, 624, 677, 700, 891.
254	Introduced by McKeon: A bill for an act entitled: "An act relating to the fees charged and collected by the Secretary of State; amending Sections 15-22-122, 15-2384, 25-102, 87A-9-403, 87A-9-404, 87A-9-405, 87A-9-406, 87A-9-407, R.C.M., 1947."	566, 568, 625, 653, 700, 787.
257	Introduced by McDonald, Rostad, Rugg, Sorensen: A bill for an act entitled: "An act to amend Section 16-912, R.C.M., 1947, relating to compensation of members of the board of county commissioners."	565, 570, 741.
258	Introduced by Goodheart, Bollinger, Stephens, Sheehy: A bill for an act entitled: "An act to create a State Temporary Mosquito Abatement Advisory Council; and a vector control specialist position in the Department of Health to determine, review, initiate, and recommend a comprehensive mosquito abatement program for the State, and, in addition, review and assist vector control programs in a pilot project in the Milk River Valley area; a temporary act."	519, 521, 655, 737, 773, 818.
263	Introduced by Rosell, Rostad, Rugg, Hazelbaker, Reardon, Goodheart, Sheehy, Siderius, Drake, DeWolfe, Carl, McKeon, Boylan, Lyon, McCallum, Brownfield, Hanks, Broeder, Keenan, Manning, Sorensen, Cotton, Lynch, Moritz, Stephens, Lowe, Moore, Cochrane, Rehberg, McGowan, Stein, Vainio, Flynn, Hafferman, Bollinger, Deschamps, Klindt, Mackay, Graham, McOmber, Hibbard, Shea, Northey, Nees: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302,	

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	R.C. M., 1947, providing a [new] classification for one hundred percent (100%) disabled veterans."	357, 358, 629, 677, 700, 870, 871, 897, 898, 905, 989.
270	Introduced by McKeon, Lyon, Moore, Broeder: A bill for an act entitled: "An act amending Section 54-133, R.C.M., 1947, to change the penalty for possession of marijuana."	580, 583, 711, 759, 774, 870, 871, 972, 973, 989.
272	Introduced by Manning: A bill for an act entitled: "An act to amend Section 16-1406. R.C.M., 1947, to permit the increase of the appropriation for county fairs."	372, 374, 626, 653, 701, 787.
273	Introduced by Mitchell, Drake: A bill for an act entitled: "An act to amend Section 77-156, R.C.M., 1947, relating to camp duty for the organized militia of Montana to provide that the annual camp will be performed within the State of Montana, except under special circumstances, and providing for an effective date."	566, 568, 719, 780, 782.
274	Introduced by Select Committee of the Senate on Executive Reorganization: A bill for an act entitled: "An act to reorganize the Executive Department of Montana State Government in accordance with the Constitutional Amendment, Chapter 1 of the Extraordinary Session, Laws of Montana, 1969, adopted at the general election of November 3, 1970, and effective under the governor's proclamation, November 20, 1970, which provides that: 'All executive and administrative offices, boards, bureaus, commissions, agencies and instrumentalities of the Executive Department of state government and their respective functions, powers, and duties, except for the office of governor, lieutenant governor, secretary of state, attorney general, state treasurer, state auditor, and superintendent of public instruction, shall be allocated by law among and within not more than twenty (20) departments by no later than July 1, 1973.'; and repealing Sections 27-427, 59-901, and 59-902, R.C.M., 1947."	580, 583, 659, 674, 675, 676, 701, 706, 908, 909, 913, 914, 926, 934, 946, 947, 989.
279	Introduced by Dziwi, McOmber: A bill for an act entitled: "An act amending Section 43-107, R.C.M., 1947, to move Teton County to the Second (2nd) Congressional District."	566, 570, 718, 759, 774, 818.

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281	Introduced by Sheehy, Mackay, Brownfield, Graham: A bill for an act entitled: "An act to amend Section 81-502, R.C.M., 1947, to provide for the exchange of state coal leases issued prior to July 1, 1967, for a term of ten (10) years or less, for leases having a term of twenty (20) years."	386, 389, 564, 591, 618, 619, 639, 701, 891.
282	Introduced by Lynch, James, McOmber, McDonald: A bill for an act entitled: "An act to allow the Montana Water Resources Board, upon its own motion, to inspect and determine safety of dams or dikes; amending Section 89-702, R.C.M., 1947."	565, 571, 720, 780, 805, 869, 870, 871, 925, 956.
284	Introduced by Lynch: A bill for an act entitled: "An act amending Section 25-309, R.C.M., 1947, raising the maximum salary received by constables."	565, 571, 655.
286	Introduced by Lynch: A bill for an act entitled: "An act to amend Section 91-403, R.C.M., 1947, relating to succession to and distribution of es- tates."	519, 521, 711, 758, 774, 818.
287	Introduced by Klindt, Drake, Lowe, McOmber: A bill for an act entitled: "An act to amend Section 26-202.2, R.C.M., 1947, to provide a seven (7) year waiting period for persons who have killed a grizzly bear."	372, 374, 588, 604, 617, 643.
288	Introduced by Lowe, Shea, Bertsche: A bill for an act entitled: "An act amending Section 11-1202. R.C.M., 1947, to increase the monetary limitation on purchases."	566, 568, 644, 686, 737, 775, 891.
290	Introduced by McKeon: A bill for an act entitled: "An act to establish emergency assistance for families with children and to provide for the county share of participation in grants for such persons."	565, 571, 721, 780, 806, 877.
291	Introduced by McKeon, Lynch, DeWolfe: A bill for an act entitled: "An act to amend Section 16-2010, R.C.M., 1947, to permit counties to issue bonds for county hospital and medical facility purposes where such bonds, with all outstanding bonds and warrants, will not exceed five per centum of the value of the taxable property therein."	519, 521, 626, 653, 684, 685, 779.
294	Introduced by Lynch, Drake, Northey, Dzivi, Mc- Keon, Hibbard: A bill for an act entitled: "An act to shorten the period for filing mechanics' liens by providing for filing of a notice of com-	

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	pletion and amending Sections 45-501 and 45-502, R.C.M., 1947."	565, 571, 658, 737, 775, 891.
295	Introduced by Boylan, Deschamps, Hanks, Rostad, Rugg, Mackay, Thiessen: A bill for an act entitled: "An act to provide that agricultural land shall be classified, appraised, and assessed according to its value for agricultural purposes without regard to the value it may have for other purposes; amending Sections 84-401 and 84-429.12, R.C.M., 1947."	579, 583, 744, 781, 782.
296	Introduced by Boylan, Hanks: A bill for an act entitled: "An act to amend Section 11-1001, R.C.M., 1947, relating to authorization of cities and towns to furnish sewage services in addition to water to industries and to persons without city limits; rates; penalty for violations."	484, 500, 644, 687, 780, 806.
297	Introduced by James, Sheehy, Thiessen, Goodheart, Cochrane, Mathers, Mackay, Rosell, McCallum, Hanks, Lowe, Klindt, Moritz, Stephens: A bill for an act entitled: "An act to amend Section 75-7403, R.C.M., 1947, relating to the authority of trustees to release pupils during the school day for religious education purposes."	327, 329, 656.
299	Introduced by Goodheart: A bill for an act entitled: "An act to amend Sections 16-4201, 16-4203, 16-4204, 16-2405, 16-4206, 16-4207 and 16-4211, R.C.M., 1947, defining qualified electors and providing percentage of qualified electors for creating, stopping procedure, or dissolving mosquito abatement district by petition."	566, 571, 718.
300	Introduced by McDonald, Dzivi: A bill for an act entitled: "An act to provide and establish compensation for employees who are partially disabled under the Occupational Disease Act of Montana by amending Section 92-1311, R.C.M., 1947; changing dates; and by repealing Section 92-1322, R.C.M., 1947, and all other acts in conflict herewith."	484, 500, 642, 643.
301	Introduced by Bertsche, Gilfeather, Brownfield, Rugg, Cotton: A bill for an act entitled: "An act to establish a position within the office of the Superintendent of Public Instruction entitled 'Coordinator of Educational Television'; providing for the appointment of a coordinator; providing for the appointment of an advisory committee; and providing for the duties of the coordinator."	580, 582, 714, 758, 775, 869, 870, 871, 992, 993.

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302	Introduced by Bertsche, James, Cochran, Bennett, Stephens, Lyon: A bill for an act entitled: "An act creating a Division of Communications in the Department of Administration; providing for the appointment of an administrator for the division; providing for the powers and duties of the division; providing for the implementation of this act; providing that this act shall not affect the rights and privileges of employees transferred to the division."	580, 582, 745, 781, 806, 877.
304	Introduced by Vainio: A bill for an act entitled: "An act to amend Section 71-610, R.C.M., 1947, empowering the State Department of Public Welfare to authorize supplementary optometric services upon an optometric examination to qualified welfare recipients."	357, 358, 627, 677, 702, 787.
305	Introduced by Vainio, Shea, Lynch: A bill for an act entitled: "An act amending Section 75-8601 of the Higher Education Laws Recodification of the 42nd Session Laws of Montana. To propose the stimulation of enrollment in mineral engineering; to provide for the waiving of nonresident tuition in excess of two percent (2%) of unit enrollment for out-of-state students who enroll in mineral engineering curricula at Montana College of Mineral Science and Technology under reciprocal agreement among mineral engineering colleges of eight (8) WICHE states for the urgent development of undergraduate programs in mineral engineering."	579, 583, 716, 759, 761, 790, 812, 816, 829.
306	Introduced by Vainio, Bollinger, Keenan: A bill for an act entitled: "An act to provide cost of living adjustments to standards of welfare assistance and providing a procedure for computing such adjustments."	566, 568, 721.
308	Introduced by Dzivi, Sheehy: A bill for an act entitled: "An act to provide for the voluntary payment of personal injury or property damage claims without such payment constituting an admission of liability."	484, 500, 650.
313	Introduced by Rosell, Lynch, Rehberg, Stephens, Cotton, Boylan: A bill for an act entitled: "An act relating to the Teachers' Retirement System of the State of Montana; providing for the addition of the State Auditor and State Treasurer as ex-officio members of the retirement board; providing for the nomination and election of two persons from Montana Public School Boards and three	

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	persons from the teaching profession as members of the retirement board; amending Section 75-6203 and Section 75-6204; and providing an effective date."	484, 500, 625.
314	Introduced by Gilfeather, Turnage: A bill for an act entitled: "An act to provide for recording of abstracts of instruments and providing for constructive notice thereof; amending Sections 16-2902, 73-107, 73-114, 73-115, 73-116, R.C.M., 1947."	372, 374, 649, 687, 728, 818.
315	Introduced by Bollinger, Cotton, Klindt, Sheehy, Mathers: A bill for an act entitled: "An act creating a committee to conduct a comprehensive study of the administration and operation of the Montana Railroad and Public Service Commission in cooperation with the Montana Railroad and Public Service Commission; specifying an immediate effective date."	579, 582, 610, 633.
317	Introduced by Gilfeather: A bill for an act entitled: "An act to assure eligibility for aid to dependent children assistance for the care of children whose father is unemployed but seeking employment, and to provide for the county share of participation in grants for such persons."	484, 501, 753, 767, 782, 812, 813, 817, 956.
318	318 Introduced by Shea, Sheehy, Flynn: A bill for an act entitled: "An act to require sixty (60) day notice of cancellation or non-renewal of fire insurance policies and providing a penalty for violation under Section 40-2617, R.C.M., 1947."	275, 277, 649, 687, 729, 891.
319	Introduced by Shea, Sheehy, Flynn: A bill for an act entitled: "An act preventing an insurer from refusing to sell motor vehicle insurance, fire insurance on the grounds that the applicant has not purchased other types of insurance from the insurer, and providing a penalty."	565, 571, 656.
320	Introduced by Shea, Sheehy, Flynn: A bill for an act entitled: "An act to provide sixty (60) days notice in writing from an insurer to the named insured of the intention of the insurer not to renew a policy: providing for a statement by the insurer of the reasons for not renewing such policy or policies; providing for hearings by the insurance commissioner when policies may not be cancelled; and providing a penalty."	565, 571, 710.
321	Introduced by Hanks, Goodheart, Drake: A bill for an act entitled: "An act relating to cities' and towns' all-purpose levy; amending Sections 84-	

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	4701.2, 84-4701.3, 84-4701.5 and 84-4701.6, R.C.M., 1947."	580, 583, 715, 759, 776, 891.
322	Introduced by Bennett, Nees, Mathers, Rostad, Hazelbaker, Turnage, Flynn, James, DeWolfe, McGowan, Cotton, McDonald: A bill for an act entitled: "An act to create a capitol building and planning committee, establishing functions and guidelines under the general supervision of this legislative council; and providing an immediate effective date."	386, 389, 745, 781, 807, 829.
325	Introduced by McKeon: A bill for an act entitled: "An act to amend Section 4-108, R.C.M., 1947, providing salaries of state liquor employees."	519, 521, 761, 780, 807, 868, 870, 938, 939, 966, 967.
328	Introduced by Mackay, Thiessen, Graham, Mathers: A bill for an act entitled: "An act to amend Sections 91-502, 91-504 through 91-508 and 91-523, R.C.M., 1947, to move the record keeping function and administration of personal property sales under the Escheated Property Act from the office of the State Treasurer to the State Board of Equalization."	386, 389, 624, 653, 702, 787.
329	Introduced by Mackay, Thiessen, Graham, Mathers: A bill for an act entitled: "An act to amend Section 91-512, R.C.M., 1947, to delete the salary limitation for the special assistant attorney general assigned the function of working with escheated estates."	484, 501, 624, 677, 702, 891.
331	Introduced by Dzivi, Lynch: A bill for an act entitled: "An act to amend Section 92-204, R.C.M., 1947, to define third parties against whom injured workmen may prosecute causes of action to include prime contractors and general contractors and owners who have not become liable for workmen's compensation benefits under Section 92-438, R.C.M., 1947."	580, 583, 590, 642, 673.
332	Introduced by Lynch: A bill for an act entitled: "An act to amend Section 95-116, R.C.M., 1947, to provide that within ninety (90) days after forfeiture of bail if the defendant appears, the bail must be discharged."	566, 568, 710.
336	Introduced by Rosell, James, Mathers: A bill for an act entitled: "An act to amend Section 75-6103, R.C.M., 1947, relating to teacher tenure."	327, 329, 577, 591, 618.

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338	Introduced by McGowan, Goodheart, Mackay: A bill for an act entitled: "An act relating to membership of the Montana Horse Racing Commission; the terms of office thereon; providing a quorum for transaction of business; adding a new section to Title 62, Chapter 5, R.C.M., 1947; amending Section 62-503, R.C.M., 1947, and repealing Section 62-501, R.C.M., 1947."	565, 571, 715.
339	Introduced by James, Moritz: A bill for an act entitled: "An act to amend Section 79-1202, R.C.M., 1947, relating to moneys to be invested by the State Board of Land Commissioners by authorizing the Board to invest in first mortgages on unencumbered real property when such real property is leased by the mortgagor and the lease payments are guaranteed by any agency of the United States Government; repealing all acts or parts of acts in conflict herewith."	519, 521, 624, 653, 703, 787.
341	Introduced by Stephens: A bill for an act entitled: "An act amending Sections 16-4506 and 16-4507, R.C.M., 1947, relating to the election, nomination and term of office of directors of county water and sewer districts."	566, 569, 626.
SENATE JOINT RESOLUTIONS IN THE HOUSE REGULAR SESSION		
1	Introduced by McOmber, Hazelbaker, Rugg, Hafferman, Goodheart: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Secretary of Health, Education and Welfare and to the Commissioner of Social Security asking that the Secretary of Health, Education and Welfare forestall enforcement of regulations promulgated by the Department of Health, Education and Welfare requiring automatic sprinkling systems in certain hospitals and extended care facilities for a period of two (2) years from January 31, 1971, and further urge the Secretary of Health, Education and Welfare to review, reconsider and revise said regulations to to permit the use of alternative fire protection devices.	108, 112, 589, 604, 618, 707.
2	Introduced by Bertsche, Turnage, Graham, Cotton, Sorensen, Gilfeather, Deschamps, Drake: A Joint Resolution of the Senate and House of Representatives of the State of Montana urging Congress and all involved officials to implement the recommendations of the Governor's Task Force on Indian Problems.	177, 178, 595, 619, 637, 787.

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3	Introduced by Bertsche, Turnage, Graham, Cotton, Sorensen, Gilfeather, Deschamps, Drake: A Joint Resolution of the Senate and House of Representatives of the State of Montana urging Congress and all involved officials to implement the recommendations of the Governor's Task Force on Indian Problems.	177, 178, 595, 619, 638, 787.
4	Introduced by Hafferman, Flynn, Dzivi, Bollinger, Lynch, Shea, Keenan, Rostad, Rosell, Sheehy, Reardon, Vainio, McCallum, Graham, Stein, Broeder, Bennett, McKeon, Lowe, Moritz, Siderius, Hazelbaker, Nees, McOmber, Goodheart, McGowan, Deschamps, Northey, Groff, Brownfield, Rugg, Boylan, Klindt, Stephens, Hanks, Bertsche: A Joint Resolution of the Senate and House of Representatives of the State of Montana, to the President of the United States of America, the Montana Congressional Delegation, the Army Corps of Engineers and the Montana State Planning Board urging early construction of a reregulating dam on Kootenai River mile 208.9.	227, 228, 648, 686, 733, 818.
5	Introduced by Mitchell, Bertsche, Lowe, Bollinger, Cotton, James, Mathers, Sorensen: A Joint Resolution of the Senate and House of Representatives of the State of Montana, to the Montana Congressional Delegation supporting the establishment of a scenic recreation river along the Missouri from Robinson Bridge to Fort Benton in Montana and urging the Montana Congressional Delegation to introduce and support appropriate legislation.	187, 189, 401, 573, 602, 787.
6	Introduced by McKeon, Keenan: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Honorable Richard M. Nixon, President of the United States; to the Honorable L. Richardson, Secretary of Health, Education and Welfare; to the Congress of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana calling attention to the plight of Montana's small, rural hospitals which are facing loss of certification under Medicare because of the increasingly stringent Medicare regulations.	177, 178, 590, 604, 605, 619, 787.
7	Introduced by Hafferman, Mackay, McDonald, Rosell, Flynn, Graham: A Joint Resolution of the Senate and House of Representatives of the Legislative Assembly of the State of Montana requesting that the Forty-second Legislative Assembly create an interim joint committee from the stand-	

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	ing judiciary committees and laymen under general supervision of the legislative council to conduct a comprehensive study of the laws relating to the probate procedure with a view to suggesting amendments that would modernize the probate code to the State of Montana.	327, 329, 593.
8	Introduced by Klindt, Turnage, Bollinger, Lynch, Lyon, Mathers: A Resolution of the Senate and House of Representatives of the State of Montana recommending to the Montana constitutional convention that it consider the legalization of bingo when it is operated as entertainment for non-profit or charitable purposes.	139, 152, 272, 287, 302.
9	Introduced by Drake, Turnage, Bollinger, Gilfeather, Rostad, Mackay, Bertsche, Manning, McCallum, Rugg, Broeder, Cochrane, Klindt, Moore, Stein, Stephens, Lyon, Thiessen, Keenan, Hibbard, Mitchell, Siderius, Goodheart, McOmber, McGowan, Moritz, McDonald, Graham: A Resolution of the Senate and House of Representatives of the State of Montana requesting the legislative council to study the Montana University System with a view toward specialization of the various units thereof by avoiding unnecessary duplication in the programs and degrees offered by each unit.	566, 571, 747, 782, 807, 980.
10	Introduced by Lynch, McOmber, Bollinger, Flynn, Cotton, Bennett: A Joint Resolution of the Senate and House of Representatives of the State of Montana asking the Congress of the United States of America to amend the social security act in a manner which will clearly permit hospitals, extended care facilities, skilled nursing homes and intermediate care facilities in which smoke detection systems have been installed to qualify as providers in the related federally funded patient care programs.	187, 189, 199, 590.
12	Introduced by Mackay, McGowan, Turnage, Groff: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the Honorable United States Senators and Representatives from the State of Montana to examine the feasibility of updating the rules and regulations governing mining operations on public land.	312, 315, 647, 686, 734, 818.
13	Introduced by Moore, Mackay, Rehberg, Klindt, Sheehy, Lowe, Graham, Rosell, Stein: A Joint Resolution of the Senate and House of Representatives of the State of Montana respectfully urging the Honorable Forrest H. Anderson, Governor, and the State Department of Planning and Economic	

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	Development to retain the South-Central Montana Development Federation intact.	386, 389, 423, 596, 620, 638, 787.
14	Introduced by Klindt, Sheehy, Moore, Shea: A Joint Resolution of the Senate and House of Representatives to the Montana Constitutional Convention asking for inclusion of a Bill of Rights in any newly proposed Montana Constitution.	386, 389, 629.
15	Introduced by Lyon: A Joint Resolution of the Senate and House of Representatives consenting to the use of any of the facilities, furniture, fixtures, supplies and other property of the Montana Legislative Assembly by the Constitutional Convention.	386, 389, 747, 781, 808, 877.
16	Introduced by Hazelbaker, Rostad, Rugg, Mathers, Graham, Manning, James, Bennett, Bertsche, McGowan, Keenan, Reardon, Lynch, DeWolfe, Moritz, Broeder, Deschamps, Cotton, Sorensen, Brownfield, Rosell, McCallum, Klindt, Siderius, Stein, Hanks, McKeon, Thiessen, Nees, Drake, Lyon, Mackay, Lowe, Cochran, Shea, Rehberg, Turnage, Flynn, Gilfeather, McOmber, Groff, Hibbard, Bollinger, Carl, Stephens, Moore, Hafferman, Goodheart, Sheehy, McDonald, Dzivi, Vainio, Boylan, Northey, Mitchell: A Joint Resolution of the Senate and the House of Representatives of the Legislative Assembly of the State of Montana to the Congress of the United States and to the National Park Service and other agencies of the United States Government and to the various agencies of the State of Montana concerned with the preservation of historical landmarks requesting that action be taken immediately to preserve Beaverhead Rock in Madison County, Montana, which is one of the great landmarks of the Lewis and Clark expedition as a national park or national monument.	327, 329, 648, 686, 734, 818.
17	Introduced by McKeon: A Joint Resolution of the Senate and House of Representatives of the State of Montana urging all parties to take steps to end the American involvement in Indochina; urging President Richard Nixon to give immediate consideration to the announcement of a specific deadline for the withdrawal of all United States armed forces from Vietnam; urging President Nixon to announce the complete cessation of all saturation bombing operations and a unilateral ceasefire, conditioned upon a reciprocal announcement by North Vietnam of a schedule for release and return of all Americans held by that country as prisoners of war; urging appropriate congressional committees to investigate the interpretation of the understanding of March, 1968, between North Vietnam and the United States; urging appro-	

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	<p>priate congressional committees to investigate the "protective reaction" doctrine; and urging national officials and Cabinet members to lend their support to this urgent request.</p>	579, 582, 718, 739.
18	<p>Introduced by Mathers, Mackay, Groff: A Joint Resolution of the Senate and House of Representatives requesting the Board of Education to disapprove the school standards of accreditation recommended by the Superintendent of Public Instruction, and that the Superintendent of Public Instruction prepare revised standards of accreditation based on qualitative evaluation and new concepts and developments in education.</p>	484, 501, 747, 781, 808, 877.
19	<p>Introduced by Lyon, James, Stephens: A Joint Resolution of the Senate and House of Representatives of the State of Montana respectfully requesting the Interstate Commerce Commission to approve equitable freight rates throughout the various states of the United States of America.</p>	327, 330, 641, 684, 734, 818.
20	<p>Introduced by Bollinger, Lowe: A Joint Resolution of the Senate and the House of Representatives to the Honorable Forrest H. Anderson, Governor, and to the director of the State Welfare Department, directing an examination be made into the feasibility of establishing district offices to improve the delivery of social services to all people in Montana, and urging cooperation by the Welfare Department with the Federal Department of Health, Education, and Welfare in the administration in Montana of the proposed Family Assistant Plan.</p>	344, 346, 404, 501, 573, 602, 611, 630, 684, 735.
21	<p>Introduced by McKeon, Lynch: A Joint Resolution of the Senate and House of Representatives of the State of Montana expressing concern over the amount of uncertainty imposed by question of military service, opposing the use of conscription in military manpower procurement, supporting efforts to make military service more attractive, supporting the free exercise of conscience in matters surrounding military service, urging members of the Montana delegation in congress to act to replace conscription with a military manpower procurement system based on the principle of voluntarism, urging members of the Montana delegation to act to provide for fair compensation of persons serving in the military, and urging national officials and cabinet members to lend their support to these urgent requests.</p>	566, 571, 719.
22	<p>Introduced by Groff, James, Flynn, Lyon, Mathers, Moore, Bollinger, Vaino, Hazelbaker: A Joint</p>	

No.	Title of Bill	Page
	Resolution of the Senate and House of Representatives reserving the third and fourth floors of the capitol for legislative use only after construction of the new supreme court and law library building.	312, 315, 590, 679, 779, 808, 891.
23	Introduced by Mitchell, Bertsche, Hibbard, Drake: A Joint Resolution of the Senate and House of Representatives of Montana to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, urging that parts of the Lincoln Back Country and Scape Goat Mountain area—be enjoined with the National Wilderness Preservation System.	327, 330, 647, 686, 735, 818.
24	Introduced by Bennett, Mitchell, Turnage: A Joint Resolution of the Senate and House of Representatives requesting the Legislative Council to study and evaluate the various state laboratories, their functions, responsibilities and degree of efficiency and to recommend such plans and programs necessary to provide Montana and her citizens with the best possible laboratory facilities, personnel, equipment, administration, and services.	519, 521, 720, 780, 809, 877, 980, 981.
25	Introduced by Dzivi: A Joint Resolution of the Senate and House of Representatives requesting and directing the Criminal Law Commission to submit a separate bill for each chapter of the proposed criminal code revision to be submitted to the Forty-third Legislative Session.	386, 389, 650.
26	Introduced by Flynn, Bertsche: A Joint Resolution of the Senate and House of Representatives to the State Fish and Game Commission and the Historical Society of Montana directing the placing of historical markers and information signs along the Missouri River from Fort Benton to the Fred Robinson Bridge to point out and inform floaters and boaters about points of interest.	386, 389, 714, 758, 776, 818.
27	Introduced by Sheehy: A Joint Resolution of the Senate and House of Representatives of the Forty-second Legislative Assembly of the State of Montana approving in principle the proposed Federal Family Assistance Act.	519, 521, 720, 780, 809, 877.
28	Introduced by McGowan: A Joint Resolution of the Senate and of the House of Representatives of the State of Montana to the Legislative Council of the State of Montana requesting the formation of an Interim Committee on Weather Modification	

No.	Title of Bill	Page
	to advise and assist the Montana Water Resources Board and its Weather Modification Advisory Committee in the development and administration of Montana's part of the National Weather Modification Program.	275, 277, 648, 686, 735.
29	Introduced by McGowan, James, Bertsche, Broeder, Deschamps, McDonald, Drake, McOmber, Mitchell, McKeon, Cotton, Bennett, Mathers, Stephens, Goodheart: A Joint Resolution of the Senate and House of Representatives to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from Montana, and the Honorable John Melcher and the Honorable Richard Shoup, Representatives from Montana urging the Montana Congressional Delegation to use their influence and connections with the proper federal agencies to see that proper and adequate access roads are built and upgraded by the federal government in the triangle area of Montana where the safeguard ABM missile sites are located; providing for mailing copies to certain officials.	327, 330, 628, 677, 703, 787.
30	Introduced by Rosell, Stephens, Rugg, McCallum, Rostad, Sheehy, Keenan, James, Brownfield, Mathers, Lynch, Lowe, Lyon, Rehberg, Cotton, Goodheart, Cochrane, Boylan, Klindt, Broeder, Moore, Stein, Carl: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the State Board of Education to conduct a study of proprietary schools offering vocational or technical training to citizens of Montana.	484, 501, 594, 619, 638.
31	Introduced by McKeon, Hafferman, Mackay, Dzivi, Mathers: A Joint Resolution of the Senate and House of Representatives of the Legislative Assembly of the State of Montana requesting that the Legislative Council create an interim joint committee to conduct a comprehensive study of the laws relating to the probate procedure with a view to suggesting amendments that would modernize the probate code of the State of Montana.	860, 864, 872.

EXTRAORDINARY SESSION

TITLE INDEX

HOUSE BILLS

Bold face figures refer to roll calls: Thus 296.

No.	Title of Bill	Page
1	Introduced by Nichols: A bill for an act entitled: "An act appropriating money for the operation of the Extraordinary Session of the Forty-Second Legislative Assembly convened on March 8, 1971; specifying an immediate effective date."	4, 6, 7, 8, 10, 11, 15, 16, 17, 18.
2	Introduced by Nichols and Haines: A bill for an act entitled: "An act to appropriate moneys to the Highway Patrol for the purpose of relocating the offices of the Registrar of Motor Vehicles."	8.
3	Introduced by Bardanoue, Himsl: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1973; providing for other matters relating to the appropriations; repealing Chapter 238, Laws of 1969, and Sections 1, 4, 5, 6, 7, and 8, Chapter 375, Laws of 1969; and prescribing the method of accounting for expenditure of non-appropriated funds."	14, 17, 21, 25, 28, 30, 31, 32, 57, 62, 72, 73, 76, 78, 79, 87, 88, 92, 101.
4	Introduced by Johnston, Schoonover, Hodges: A bill for an act entitled: "An act appropriating moneys from the general fund to the Attorney General's office to be used to enforce prohibitions against a member of the House of Representatives campaigning for Governor or the United States Congress."	14, 29.
5	Introduced by Weeding, Zody, Lien, Eggebrecht, Prevost, Lund, Edland: A bill for an act entitled: "An act appropriating moneys to the Department of Planning and Economic Development to provide planning and development services to the eighteen-County Development Association of Eastern Montana."	14.
6	Introduced by Healy, McGrath, Lee, Johnston, Quilici, Lynch, Lombardi, Clemow, Mehrens, Brand, Menahan, Harper, Kosena, Lundgren, Aspevig: A bill for an act entitled: "An act appropriating moneys for the Environmental Engineering Program at	

No.	Title of Bill	Page
	the Montana College of Mineral Science and Technology."	14.
7	Introduced by Quilici, Healy, Lee, Mehrens, Lynch, Lombardi, McGrath, Cox: A bill for an act entitled: "An act appropriating four hundred thousand dollars (\$400,000) to the State Board of Education from the Long-Range Building Program Account, Bond Proceeds and Insurance Clearance Fund, for the construction of additional facilities at the Area Vocational-Technical Center located at Butte, Montana, for the biennium ending June 30, 1973."	16, 18.
8	Introduced by Zody, Olson: A bill for an act entitled: "An act appropriating moneys from the 'Long-Range Building Program Account, Bond Proceeds and Insurance Clearance Fund' for a capital project for the Montana Water Resources Board for the biennium ending June 30, 1973; and authorizing the use of federal and private funds available for that purpose."	16, 18.
9	Introduced by Himsl, Schoonover, Zimmer, J. Murphy, Olson, Lundgren, Zody, Brown, Ulmer, Lucas, Fleming: A bill for an act entitled: "An act appropriating money from the general fund to the Community College Districts of Montana for their operation and maintenance during the biennium ending June 30, 1973, in accordance with Section 75-8121, R.C.M., 1947."	18, 59, 64, 67, 71, 73, 74, 75.
10	Introduced by Patrick: A bill for an act entitled: "An act appropriating moneys from the 'Long-Range Building Program Account, Bond Proceeds and Insurance Clearance Fund' to acquire land available for future building sites."	19, 21.
11	Introduced by T. Murphy, Marks: A bill for an act entitled: "An act appropriating to the Montana Water Resources Board of the State of Montana the sum of eight hundred thousand dollars (\$800,000) to be loaned to the Meagher County-Newlan Creek Water District at an interest rate of three percent (3%) per annum and pursuant to such terms and conditions as the board shall prescribe."	19.
12	Introduced by Christiansen, Nichols, Harrison, Ulmer, Gerke: A bill for an act entitled: "An act appropriating twenty-seven thousand dollars (\$27,000) to the Department of Administration from the Capitol Building Program Account, Bond Proceeds and Insurance Clearance Fund for the illumination of the Capitol Building."	23, 59, 64, 67, 68, 70, 86, 88, 92, 101.

No.	Title of Bill	Page
13	Introduced by J. Murphy: A bill for an act entitled: "An act to amend Chapter 296, Session Laws of Montana, 1971, relating to calling the Constitutional Convention by changing the date of the special primary election; and providing for an immediate effective date."	27, 31, 35, 40, 45.
14	Introduced by J. Murphy: A bill for an act entitled: "An act to amend Chapter 296, Laws of Montana, 1971, relating to calling a constitutional convention; by amending provisions for schedule of legislation; deleting mention of state officers; amending provisions for appointing members and filling vacancies on Constitutional Convention Commission; restating the function of said commission; deleting provisions permitting the Commission to accept and expend private funds; repealing subsections (3), (11), of Section 20, Chapter 296, Session Laws of 1971; and providing an immediate effective date."	28, 31, 35, 40, 43, 45, 46.
15	Introduced by Haines, Nichols: A bill for an act entitled: "An act to appropriate moneys for payment of Employers Contribution to the Public Employees Retirement System for the services of members of the Legislative Assembly; providing an effective date."	28, 40, 42, 43, 48, 49, 50, 52, 72, 75, 77, 93.
16	Introduced by Mather, Snortland, Lockwood, Whitney, Ellerd, Lundgren, Dye, Ulmer, Nelstead, Lockrem, Warfield, Glennen, Worden, Haines, Campbell, Sverdsten, Wolf, Darrow, Scott, Brown, Patrick, Forester, Cox, Fagg, Clemow, Giesick, J. Murphy, Harrison, Keller, Lucas, Swan, Kolstad, Aber, Selstad, Hemstad, Asbjornson, Marbut, Lund, Himsl, Spilde, McNamer, Lanthorn, Kvaalen, Burnett, Olson, Marks, Ainsworth, East, C. Smith, Falkenstern, Bennett, Nichols, Fitzgarrald: A bill for an act entitled: "The Montana Retail Sales and Use Tax Act; levying sales and use taxes to support the state government and educational programs; providing for the administration thereof, and for penalties in case of violation of its provisions."	31, 36, 39, 42, 43, 45, 46.
17	Introduced by Bardanouve, Nichols: A bill for an act entitled: An act appropriating money for the operation of the Extraordinary Session of the Forty-Second Legislative Assembly; specifying an immediate effective date."	31, 35, 39, 42, 43, 45, 47, 58, 62, 63, SA-66, 67, 69, 70, 76.

No.	Title of Bill	Page
18	Introduced by Schoonover, Christiansen, McGrath, Menahan, Bardanouve, Fasbender, Gerke, Hall, Fleming, Lynch, Knudsen, Kendall, J. Murphy, Swanberg, Hodges, Harper, Devine, Lee, Greely, Lombardi, Gunderson, Staigmillar, McKittrick, Robbins, Weeding, Quilici, Zody, Shelden, Mehrens, Kosena, Baeth, Eggebrecht, Towe, Yardley, Edland, Parrish, Laas, Prevost, Bradley, Zimmer, Anderson, Lien, Norman, Johnston, Jackson, Healy: A bill for an act entitled: "An act to appropriate money for the support of the public schools; appropriating money for the foundation program for the biennium ending June 30, 1973."	37.
19	Introduced by Kvaalen, Himsl: A bill for an act entitled: "An act to appropriate monies to certain state institutions and agencies for the biennium ending June 30, 1973."	38, 40, 43, 48, 49, 50, 52, 79, 80, 83, 84, 117, 119, 120.
20	Introduced by Reapportionment Committee: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 Federal census; and repealing Section 43-106.2, R.C.M., 1947; and providing an effective date."	38, 39, 42, 48, 100, 112.
21	Introduced by Marbut: A bill for an act entitled: "An act providing a tax on no-deposit and no-return containers of beer and soft drinks and providing for distribution of the tax."	38.
22	Introduced by Gunderson, Fagg: A bill for an act entitled: "An act to amend Section 23-3101, R.C.M., 1947, relating to the establishment of precinct boundaries, change of precinct boundaries and providing maps of precinct boundaries for reapportionment purposes; providing an effective date."	38, 44.
23	Introduced by Laas, Kvaalen, Aspevig, Eggebrecht, Edland, Zody, Weeding, Kolstad, Prevost: A bill for an act entitled: "An act appropriating monies from the general fund to the Montana Water Resources Board for the biennium ending June 30, 1973, to conduct feasibility studies and preliminary surveys of certain water conservancy districts."	39.
24	Introduced by Patrick, Lund: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennimu ending June 30, 1973; and providing for other matters relating to the appropriation."	39, 43, 49, 51, 52, 54, 79, 80, 83, 84.
25	Introduced by Marbut, Ulmer, J. Murphy, Lanthorn, Himsl, McNamer, Lucas, Lund, Giesick, Bennett,	

No.	Title of Bill	Page
	Cox, Clemow, Ellerd, Patrick, Brown, Mather, Lockrem, East, Falkenstern, Lundgren, Dye, Harrison, Scott, Nelstead, Glennen, Forester, Darrow, Fitzgarrald, Nichols, C. Smith, Olson, Asbjornson, Haines, Worden, Campbell, Whitney, Fagg, Wolf, Keller, Aber, Warfield, Marks, Hemstad, Selstad, Burnett, Kvaalen, Swan, Spilde, Lockwood, Ainsworth, Aspevig, Laas, Snortland, Kolstad, E. Smith, Perry: A bill for an act entitled: "An act to appropriate money from the State General Fund to the State Treasurer for the reimbursement of counties for payment of homeowner grants and providing for other matters relating to the appropriation."	42, 44, 47, 59, 64, 67, 68, 69, 70.
26	Introduced by Haines: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations."	45, 49, 51, 52, 54, 79, 80, 83, 84.
27	Introduced by Dye, Glennen: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations."	45, 49, 51, 52, 53, 54, 79, 80, 83, 85.
28	Introduced by Asbjornson, Spilde, Aspevik: A bill for an act entitled: "An act to appropriate monies to the units of the Montana University System, the Agricultural Experiment Station, the Cooperative Extension Service, the Western Interstate Commission for Higher Education, the Office of the Executive Secretary of the Montana University System and the School for the Deaf and Blind, State Superintendent of Public Instruction, including the funding of the Foundation Program, the Board of Education, and Vocational Education, the State Advisory Council for Vocational Education, for Personal Services, Operation, and Capital Expenditures for the biennium ending June 30, 1973."	45, 54, 55, 58, 62, 64, 65, 66, 79, 80, 83, 85.
29	Introduced by Committee on Legislative Modernization: A bill for an act entitled: "An act to appropriate moneys from the general fund for the purchase and installation of a new sound system and electronic voting system for the House of Representatives; providing an effective date."	58, 67, 70, 73, 74, 75, 96, 98, 99.

No.	Title of Bill	Page
30	Introduced by Watt, Haines, Burnett, Christiansen, Kosena, Worden, Aspevig, Healy: A bill for an act entitled: "An act providing for the partial replacement of property taxes on habitable property and certain personal property with a tax on total disposable income; defining habitable property and providing for its separate listing; and providing for withholding."	61.
31	Introduced by Marbut, Bardanouve, Dye: A bill for an act entitled: "An act appropriating six thousand dollars (\$6,000) from the general fund to the Legislative Council to be used for expenses of legislators when attending conferences and seminars."	65, 75, 77, 79, 80, 81, 86, 94.
32	Introduced by Glennen: A bill for an act entitled: "An act relating to table wine; providing fees for retail licenses; providing for administration of this act by the Montana Liquor Control Board; providing for the distribution of the revenue collected from the tax on table wine sold to retailers."	71, 83, 84, 87, 89, 90, 96, 97, 98.
33	Introduced by Fasbender, Hall, Gerke, Bardanouve: A bill for an act entitled: "An act to amend Section 84-4902, R.C.M., 1947, relating to the rate of income tax; repealing Section 84-4902.1, R.C.M., 1947, providing for a surcharge; providing an effective date."	71, 113, 116.
34	Introduced by Christiansen, Gerke, Hall, Fasbender: A bill for an act entitled: "An act to amend Chapter 333, Session Laws of 1971, to provide that the Temporary Corporation License Tax of six and one-quarter percent (6¼%) of net income be increased to seven percent (7%) and made permanent; and providing an effective date."	71, 90, 114, 116.
35	Introduced by Darrow, Patrick, Cox, Lucas, Christiansan, Fleming, Swanberg, Staigmiller, Lockwood, Sverdsten, Lundgren, Warfield, Haines, Kosena, Harper, Devine, Brand, Baeth, Parrish, Lanthorn, Bennett, Ainsworth, Marbut, Fagg, Lund, Nichols, Mather, Scott, Olson, Fitzgarrald, Robbins, McNamer, Glennen, Aspevig, Schoonover, Kendall, Bradley: A bill for an act entitled: "An act appropriating moneys to the Environmental Quality Council to implement the provisions of House bill 66; providing an effective date."	76.
36	Introduced by Darrow, Patrick, Cox, Lucas, Christiansen, Fleming, Swanberg, Staigmiller, Sverdsten, Warfield, Haines, Kosena, Harper, Devine, Baeth, Brand, Parrish, Lanthorn, Bennett, Ainsworth, Marbut, Fagg, Lund, Nichols, Scott, Olson,	

No.	Title of Bill	Page
	Fitzgarrald, Robbins, Glennen, Aspevig, Schoonover, Kendall, Bradley: A bill for an act entitled: "An act appropriating eighty-seven thousand five hundred dollars (\$87,500) for the operation of the Environmental Quality Council for the biennium ending June 30, 1973."	76.
37	Introduced by Gunderson, Towe, T. Murphy, Swanberg, Greely, Staigmler: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 Federal census; and repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947."	77, 100, 112.
38	Introduced by Lynch, Lee, Mehrens, Prevost, Harper, Norman, Quilici, Menahan, Lombardi, Kosena, Healy: A bill for an act entitled: "An act imposing a tax of five percent (5%) on the gross earnings of railroads operating in the State of Montana and earmarking the revenue therefrom for substitute passenger transportation for communities not served by Railpax and designating the Public Service Commission to administer the provisions."	93, 95, 108.
39	Introduced by Ulmer: A bill for an act entitled: "An act to amend Chapter 333, Session Laws of 1971, in order to clarify the effective date."	93, 95, 99, 100, 101, 103, 111, 113, 114.
40	Introduced by J. Murphy, Snortland, Dye, Glennen, McNamer, Keller: A bill for an act entitled: "The 1971 Montana Revenue Act; levying a sales and use tax to support the school foundation program and state government; providing for the administration thereof, and for penalty in case of violation of its provisions; increasing income tax surtax to twenty percent (20%) by amending Section 84-4902.1, R.C.M., 1947, and providing for an effective date."	102, 104, 105, 107.
41	Introduced by Gunderson, Towe, Fasbender: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 Federal census; and repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947."	109.
42	Introduced by Lockrem, Cox, Lynch, Lee, Harper, Quilici, Kosena, Giesick, Darrow, Lanthorn: A bill for an act entitled: "An act to amend Section 84-1501, 84-1502, and 84-1504, Revised Codes of Montana, 1947, making cooperative corporations subject to the corporation license tax, deductions allowed in computing income, providing for certificates of exemption."	110.
43	Introduced by Towe, Himsl, Marbut, Christiansen, Watt: A bill for an act entitled: "An act amend-	

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	ing Chapter 49, Title 84, R.C.M., 1947, to provide for the imposition of a Montana Income Tax which is equal to a percentage of the federal income tax payable on Montana taxable income; repealing Sections 84-4901, 84-4902, 84-4903, 84-4905, 84-4906, 84-4907, 84-4908, 84-4909, 84-4910, 84-4912, 84-4914, 84-4915 and 84-4917, R.C.M., 1947; and providing an effective date."	110, 115, 116.
HOUSE RESOLUTIONS EXTRAORINARY SESSION		
1	Introduced by Harper, Lanthorn, Lombardi, Bennett, Lynch, Quilici, Lee, Kosena, McGrath, Menahan, Healy: A Resolution of the House of Representatives of the State of Montana asking the Constitutional Convention to study the idea of a Presidential Primary for Montana.	17, 29, 62.
2	Introduced by Edland, Gunderson: A Resolution of the House of Representatives of the State of Montana asking the Montana Congressional Delegation to seek a grant from the Department of Health, Education and Welfare for the establishment of a Six State Mountain-Plains Educational Center on the site of the former Glasgow Air Force Base.	23, 26, 27.
3	Introduced by Bradley, Lundgren, Weeding, Harper, Darrow, Fagg, Scott, Parrish, Norman, Hodges, Gunderson, Swanberg, Aspevig, Laas, Johnston, Zody, Sheldon, Baeth, Quilici, Brand, Towe, Dye, McNamer, Brown, McGrath: A Resolution of the House of Representatives of the State of Montana requesting that the Montana Congressional Delegation oppose the appropriation to fund the Development of the Super Sonic Transport (SST).	25.
4	Introduced by Harper, Lynch, Lombardi, Healy, Mehrens, Lee, Knudsen, Quilici, Kosena, Menahan, Clemow, Whitney, Devine: A Resolution of the House of Representatives of the State of Montana requesting that the Constitutional Convention consider a provision to legalize gambling.	39, 72.
5	Introduced by Reapportionment Committee, Fagg, Lundgren, Campbell, Gunderson, Kosena, Aber, Zody, Ellerd, Robbins: A Resolution of the House of Representatives recognizing the time and effort put forth by Professor Robert Taylor in assisting the House Reapportionment Committee.	42, 50.
6	Introduced by Baeth, Sheldon: A Resolution of the House of Representatives of the State of Montana asking the Forest Service to consider constructing a bridge on the Deep Creek Road at Cherry Creek in Lincoln County, Montana.	79, 88.

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7	Introduced by Schoonover, Fleming, Bardanouve, Gunderson, Christiansen, Lynch, Lee, Lombardi, Kendall, Yardley, Towe, T. L. Murphy, Baeth, Sheldon, Healy, Menahan, Mehrens, Eggebrecht, Brand, Harper, Watt, Hall, Robbins, Kosena, Staigmiller, Weeding, Devine, Swanberg, Zody, Quilici, Zimmer, Bradley, Prevost, Lien, Hodges, Gerke, Greeley, Jackson, Norman, Johnston: A Resolution of the House of Representatives of the State of Montana supporting the United States Senate Bill 1380, amending the Railroad Passenger Service Act of 1970 to require railroads to return lands received as a grant from the Federal Government in return for discontinuance of passenger or freight services.	87, 88.
8	Introduced by Legislative Modernization Committee: A Resolution of the House of Representatives of the State of Montana regarding storage and use of furniture and supplies belonging to the House of Representatives.	98, 102, 103, 106.
	<p style="text-align: center;">HOUSE JOINT RESOLUTIONS EXTRAORDINARY SESSION</p>	
1	Introduced by Forester, Aspevig: A Joint Resolution of the Senate and House of Representatives consenting to the renovation of Donaldson Hall at Northern Montana College, Havre, Montana.	10, 14, 21, 25, 28, 30, 31, 32, 57, 62, 63, 67, 93.
2	Introduced by Forester, Aspevig: A Joint Resolution of the Senate and House of Representatives consenting to the renovation of the Armory Gym at Northern Montana College, Havre, Montana.	10, 14, 22, 25, 28, 30, 31, 33, 57, 62, 63, 67, 93.
3	Introduced by Healy, Lee, Lombardi, Mehrens, Quilici, Kosena, Lynch, Aspevig, Johnston, McGrath, Lundgren, Perry, Brand, Giesick, Harper: A Joint Resolution of the Senate and House of Representatives consenting to the construction of a Petroleum and Engineering Science Building at the Montana College of Mineral Science and Technology, Butte, Montana.	10, 14, 22, 25, 28, 30, 31, 33, 58, 62, SA-65 69, 70, 93.
4	Introduced by Marbut, Haines, Ainsworth: A Joint Resolution of the Senate and House of Representatives consenting to the construction of a Fine Arts Center at the University of Montana, Missoula, Montana.	12, 22, 24.

No.	Title of Bill	Page
5	Introduced by Haines, Marbut, Ainsworth: A Joint Resolution of the Senate and House of Representatives consenting to supplement the construction of the renovation of the Health Service Building at the University of Montana, Missoula, Montana.	13, 23, 25, 28, 30, 31, 33, 57, 62, 63, 67, 93.
6	Introduced by Haines, Marbut, Ainsworth: A Joint Resolution of the Senate and House of Representatives consenting to the construction of a Sports Complex at Fort Missoula, University of Montana, Missoula, Montana.	13, 22, 24, 31, 32, 35, 57, 62, 63, 67, 93.
7	Introduced by Worden, Ainsworth, Campbell: A Joint Resolution of the Senate and House of Representatives consenting to the construction of a Swimming Pool at the University of Montana, Missoula, Montana.	14, 22, 25, 28, 30, 31, 34, 57, 62, 63, 67, 93.
8	Introduced by Norman: A Joint Resolution of the Senate and House of Representatives consenting to supplement the construction of the addition and renovation of the Fieldhouse at the University of Montana, Missoula, Montana.	14, 22, 25, 28, 30, 31, 34, 57, 62, 63, 67, 93.
9	Introduced by Watt: A Joint Resolution of the Senate and House of Representatives consenting to the renovation of the Women's Center at the University of Montana, Missoula, Montana.	14, 22, 23, 25, 28, 30, 31, 34, 57, 62, 63, 67, 93.
10	Introduced by Ainsworth, Worden, Haines, Campbell: A Joint Resolution of the Senate and House of Representatives consenting to the construction of a Fine Arts Center at the University of Montana, Missoula, Montana.	61.
11	Introduced by Quilici, Harper, Kolstad, Lombardi, Lee, Kosena, Lynch, Healy, Mehrens, Menahan, Eggebrecht, Laas, Knudsen, Lundgren: A Joint Resolution of the Senate and House of Representatives consenting to the construction of an Environmental Research Center at Montana College of Mineral Science and Technology, Butte, Montana.	65, 75, 77, 80, 81, 86, 111, 113, 114.

No.	Title of Bill	Page
12	Introduced by Lee, Lombardi, Healy, Mehrens, Quilici, Kosena, Kolstad, Menahan, Cox, Harper, Lynch, Lucas, Brand, Towe, T. Murphy, Hodges, Devine, McKittrick, Greely, Marbut, Glennen, Aspevig, Spilde: A Joint Resolution of the House of Representatives and Senate of the State of Montana consenting to the planning and construction of a Physical Education Complex at Montana College of Mineral Science and Technology, Butte, Montana.	76, 83, 87, 90, 91, 92, 108, 109, 112.
SENATE BILLS IN THE HOUSE EXTRAORDINARY SESSION		
1	Introduced by Lynch, Manning, Brownfield, Goodheart, Thiessen, Moore, Graham, McGowan, Hafferman, McOmber, Stein, McCallum, Rugg, Siderius, Hanks, Flynn, Moritz, Mackay, Cotton, DeWolfe, Rostad, Bollinger, Hazelbaker, Nees, Shea, Rosell, Keenan, Reardon, Turnage, Vainio, Dzivi, Groff, James, Sorensen: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947; and providing an effective date."	16, 17, 35, 40, 41, 47, 50, 57, 58, 100, 103, 104, 106, 107, 108, 110, 111, 112.
5	Introduced by Turnage: A bill for an act entitled: "An act prescribing uniform procedures for state administrative agencies, including: requirement for adoption of procedural rules; procedures for adoption, amendment or repeal of rules, including emergency rules; filing and publication of rules; judicial notice of rules; notice and hearing requirements for contested cases; procedures for contested case hearings; procedures for decision making in contested cases; judicial review of contested case decisions; declaratory rulings by agencies; declaratory judgments by courts regarding the validity and application of agency rules; subpoenas, subpoena enforcement and compelling testimony for agency proceedings; and right to representation in agency proceedings; to provide an effective date."	42, 63, 67, 68, 72, 73, 83, 86, 94, 95, 96, 100.
6	Introduced by the Committee on Constitution, Elections and Federal Relations: A bill for an act entitled: "An act to amend Chapter 296, Laws of Montana, 1971, relating to calling a Constitutional Convention: by changing the date of the Special Primary Election; by providing for the Secretary of State to certify to the Registrars the name and	

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	description of each person nominated; by amending provisions for schedule of legislation; by amending provisions to grant leave for public employees elected as delegates, amending provisions for appointing members and filling vacancies on Constitutional Convention Commission; restating the function of said Commission; deleting provisions permitting the Commission to accept and expend private funds; repealing Subsections (3), (11) of Section 20, Chapter 296, Session Laws of 1971; amending provisions for appropriations; providing an automatic repealer and providing an immediate effective date."	79, 81, 82, 85, 98.
7	Introduced by Natural Resources Committee: A bill for an act entitled: "An act to amend the laws relating to the location and assessment work requirements upon mining claims by amending Section 50-701 (3), R.C.M., 1947, to provide for compliance with United States mining laws and to eliminate the location requirement of sinking a discovery shaft; amending Section 50-702, R.C.M., 1947, to provide that the county clerk shall provide a copy of each certificate of location to the Department of State Lands and Investments, to change the information required on the certificate of location, and to provide that failure to record the certificate of location shall create a prima facie presumption of intent to abandon; amending Section 50-704, R.C.M., 1947, to change the information required on the affidavit of performance of annual work, to provide for group assessment work upon contiguous claims, to provide that recording of the affidavit is mandatory, to provide that the affidavit be verified, and to provide that failure to record the assessment affidavit is prima facie evidence of failure to perform such labor and that the owner has abandoned same."	108, 109, 112, 113.
SENATE JOINT RESOLUTIONS IN THE HOUSE EXTRAORDINARY SESSION		
1	Introduced by Dzivi, Mathers, Lyon, Bertsche, McCallum, Stephens, Keenan, Sheehy, Drake, McOmber, Carl, Lowe, James, Goodheart, DeWolfe, Graham, Shea, Hafferman, Rehberg, Deschamps, Cochran, Klindt, Northey, Siderius, Mackay, McKeon, Moore, Moritz, Cotton, Hanks, Bollinger, Mitchell, McDonald, McGowan, Sorensen, Reardon, Vainio, Hazelbaker, Broeder, Rostad, Flynn, Manning, Bennett, Groff, Boylan, Gilfeather, Hibbard, Nees, Rosell, Lynch, Brownfield: A Joint Resolution of the Senate and House of Representatives ratifying the proposed amendment to the Constitution of the United States relating to the right to vote at eighteen years of age.	73, 78, 90, 91, 98.

SECOND EXTRAORDINARY SESSION

TITLE INDEX

HOUSE BILLS

Bold face figures refer to roll calls: Thus 296.

No.	Title of Bill	Page
1	Introduced by Harrison: A bill for an act entitled: "An act appropriating money for the operation of Extraordinary Session II of the Forty-Second Legislative Assembly; specifying an immediate effective date."	5, 6, 7, 13, 15, 19, 20.
2	Introduced by Watt, Haines, Worden, Selstad, Christiansen, Patrick, Healy, Swanberg, Kosena, Norman, Fasbender, Campbell, Marbut, Aspevig: A bill for an act entitled: "An act providing for the partial replacement of property taxes on habitable property and certain personal property with a tax on total personal income; defining habitable property and providing for its separate listing; and providing for withholding."	5, 31, 71.
3	Introduced by Kvaalen: A bill for an act entitled: "An act to appropriate monies to certain state institutions and agencies for the biennium ending June 30, 1973."	5, 58, 64, 66, 68, 70, 73, 75, 77, SA-80, 87, 88, 91.
4	Introduced by Mather, Lucas, Kolstad, Cox, Burnett, Aber, Ellerd: A bill for an act entitled: "An act appropriating money to the Legislative Council for the purpose of contracting with a private consulting firm to conduct a comprehensive management analysis of the higher education system in Montana, providing an effective date."	5.
5	Introduced by Haines, Campbell, Worden, Ainsworth, Cox, Glennen, Patrick, Lockwood, Lanthorn, Forster: A bill for an act entitled: "An act imposing a general retail sales and services tax; imposing a use tax; providing for the administration thereof; providing a tax credit for sales and service taxes paid; and providing an effective date."	5, 96, 97.
6	Introduced by Haines: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations."	6, 61, 64, 66, 68, 69, 73, 85, 86, 87, 88, 96, 97, 98, 102, 104, 107.

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7	Introduced by Weeding, Zody, Lund, Knudsen, Eggebrecht, E. Smith, Prevost, Edland: A bill for an act entitled: "An act appropriating moneys to the Department of Planning and Economic Development to provide planning and development services to the Eighteen-County Development Association of Eastern Montana."	12.
8	Introduced by Harper, T. Murphy, Knudsen, Greely, Gunderson, Hodges, Staigmiller, Fasbender, Towe, Eggebrecht, Shelden, Zody, Schoonover, Johnston, Weeding, Fleming, Edland, Laas, Sverdsten, Zimmer, Brown, Aspevig, Norman, Fagg, Gerke, Watt, Baeth: A bill for an act entitled: "An act providing for the assessment and collection of a license tax on trading stamp companies doing business in this state."	12, 43.
9	Introduced by Marbut, Haines, Aber, Lombardi, Quilici, Harper, Lundgren, Towe, Glennen, Thomas Norman, Brown, Staigmiller, Nichols, Kosena: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article XIX of the Constitution of Montana to permit the Legislative Assembly to authorize lotteries."	12, 13, 15, 17, 21, 23, 25, 27, 30, 44.
10	Introduced by Marbut, Haines, Lundgren, Aber, Lombardi, Quilici, Harper, Towe, Glennen, Thomas, Norman, Brown, Staigmiller, Nichols, Kosena: A bill for an act entitled: "An act concerning the establishment and operation of a state lottery, creating a state lottery commission, prescribing its functions, power and duties, providing for an appropriation therefore; and providing an effective date."	12, 16, 22, 24, 25, 27, 28, 33, 39.
11	Introduced by Himsl, Lucas, Schoonover, Olson, Johnston, Ulmer, Lundgren, Brown, Zody, Fleming, Zimmer, J. Murphy: A bill for an act entitled: "An act appropriating money from the general fund to the Community College Districts of Montana for their operation and maintenance during the biennium ending June 30, 1973, in accordance with Section 75-8121, R.C.M., 1947."	12, 72, 75, 76, 77, 78, 82, 85, 86, SA-89, 92, 93, 98.
12	Introduced by Bennett, Mather, Giesick, Dye, J. Murphy: A bill for an act entitled: "The 1971 Montana Revenue Act; levying a sales and use tax to support state government; providing for the administration thereof, and for penalty in case of violation thereof; increasing income tax surtax	

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	to twenty percent (20%) by amending Section 84-4902.1, R.C.M., 1947; earmarking a percentage of the sales and use tax collected; providing for a refund or credit for sales and use tax paid upon food, drugs and other related items; providing for a referendum in November, 1972; repealing Section 37-110, R.C.M., 1947; and providing effective dates."	12, 15, 16, 17, 18, 32, 37, 38, 47, 50, 52, 67, 71, 77, 79, 86, 90, SA-91 92, 93, 98.
13	Introduced by Bardanouve, Lucas, Haines, Christiansen, Fasbender, Nichols: A bill for an act entitled: "An act allowing the investment of moneys belonging to the public school permanent fund and its other permanent funds of the education, charitable and penal institutions of the state, and all permanent funds subject to the administration of the board under Article XXI of the State Constitution, to be invested in bonds which are fully guaranteed by the United States as to principal and interest by amending Section 81-1001, R.C.M., 1947; providing an effective date."	12, 19, 20, 21, 25, 26, 29, 34.
14	Introduced by Healy, Lombardi, Lee, McGrath, Harper, Quilici, Mehrens, Lynch, Menahan, Kosen, Lundgren, Clemow, Johnston, T. Murphy: A bill for an act entitled: "An act appropriating moneys for the Environmental Engineering Program at the Montana College of Mineral Science and Technology."	13.
15	Introduced by Brand, Lee, McKittrick, Zimmer, Menahan, Mehrens, Norman, Lombardi, Lynch, Hall, Baeth, Lien, T. Murphy: A bill for an act entitled: "An act appropriating money to the Department of Agriculture to be used to study methods and procedures used in establishing gasoline prices, including the contracts involved, by distributors, refiners, wholesalers or suppliers of petroleum products."	14, 72.
16	Introduced by Brand, by request: A bill for an act entitled: "An act amending Section 53-112, R.C.M., 1947, to increase the fee for original certificate of ownership and transfer of title."	14, 22, 29, 30.
17	Introduced by Harper, Lanthorn: A bill for an act entitled: "An act appropriating money to the Legislative Council to be used for the installation and service charges of six state telecommunication system telephones in the homes or offices of the Lieutenant Governor, Senate Majority Leader, Senate Minority Leader, Speaker of the House of Representatives, Majority Leader of the House of	

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	Representatives, and Minority Leader of the House of Representatives."	14, 72.
18	Introduced by Christiansen, Fasbender, Lee, Kendall, Gerke, Watt, Robbins, Hall, Towe, Bardanouve, Harper, Greely, Kosena, Mehrens, Brand, Zody, Edland, Gunderson, Staigmillier, Lien, Baeth, Quilici, Schoonover, Bradley, Hodges, Parrish, Knudsen, Shelden, Weeding, T. Murphy, Anderson, Prevost, Zimmer, McKittrick, Yardley, Norman, Fleming, Lynch, Johnston, Lombardi, Menahan, Swanberg, Healy, Eggebrecht, Laas. A bill for an act entitled: "An act to amend Section 84-1501, R.C.M., 1947, as amended by Chapter 333, Session Laws of 1971, to provide that the corporation license tax be increased to seven percent (7%)."	17, 28.
19	Introduced by Christiansen, Fasbender, Towe, Kendall, Gerke, Watt, Zody, Hall, Edland, Gunderson, Harper, Lee, Kosena, Greely, Brand, Quilici, Bardanouve, Staigmillier, Zimmer, Robbins, Fleming, McKittrick, Mehrens, Weeding, Schoonover, Bradley, Parrish, Shelden, Baeth, Eggebrecht, Lien, Knudsen, Anderson, Prevost, Hodges, Yardley, Norman, Swanberg, Menahan, Laas, Healy, Jackson, Lynch, Lombardi: A bill for an act entitled: "An act to reform the Montana income tax laws by imposing a tax on the privilege of earning or recovering income in or as a resident of the State of Montana; amending Sections 84-4901, 84-4902, 84-4905 and 84-4910, R.C.M., 1947; and repealing the surtax provided in Section 84-4902.1, and also repealing Sections 84-4906 and 84-4908, R.C.M., 1947; and providing for an effective date; and reserving liability under acts repealed."	17, 28, 29.
20	Introduced by Harper, Brand, McGrath, Lee, Lanthorn, Christiansen, Mehrens, Gunderson, Marbut, Kosena, Menahan, Knudsen, Lynch, Quilici, Bardanouve, Devine, McKittrick, Eggebrecht, Towe, Swan, Swanberg, Fagg, Johnston, Bradley: A bill for an act entitled: "An act to appropriate five hundred thousand dollars (\$500,000) to the Montana Alcohol and Drug Dependence Commission to be allocated to the five regional offices of the state to research and investigate all phases of alcohol and drug dependence in the State of Montana, and report to the Forty-Third Legislative Assembly."	17, 75.
21	Introduced by Keller, Selstad. A bill for an act entitled: "An act to appropriate money to the Office of the Superintendent of Public Instruction to develop a program for educationally handicapped children."	20.
22	Introduced by Patrick. A bill for an act entitled: "An act providing for the licensing of motor ve-	

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	hicle wreckers, license fee, maintenance of records, hearings in case of license refusal, suspension, or revocation, screening of motor vehicle wrecking yards, promulgation of rules and regulations, inspection of records, establishment of motor vehicle graveyards, right for the State Department of Health to contract with private enterprise for the purpose of disposal of old automobiles, establishment of a disposal fee on motor vehicles registered in the State, and for the distribution of funds."	22.
23	Introduced by Patrick. A bill for an act entitled: "An act to appropriate moneys to various State agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriations."	20, 62, 64, 65, 68, 69, 75, 85, 86, 87, 88, 93, 100, 104.
24	Introduced by Darrow, Christiansen, Lundgren, Fagg, Haines, Lucas, Keller, Glennen, Patrick. A bill for an act entitled: "An act appropriating one hundred seventy-five thousand dollars (\$175,000) to the Environmental Quality Council."	21.
25	Introduced by Lockrem, Cox, Keller, Giesick, Glennen, Watt, Fleming: A bill for an act entitled: "An act to amend House Bill No. 476 passed by the Forty-second Legislative Assembly during its regular session relating to an appropriation from the general fund to the State Board of Health for matching funds to local governments for construction of water pollution facilities subject to Section 69-4808.1, R.C.M. 1947."	25.
26	Introduced by Norman: A bill for an act entitled: "An act to levy a business and occupation license tax; requiring corporations to pay the business and occupation license tax if tax liability greater than the corporation license tax; amending Sections 84-1901 and 84-4905, R.C.M., 1947; repealing Section 84-733, R.C.M., 1947; and providing an effective date."	27.
27	Introduced by Towe, Gunderson, T. Murphy, Fasbender, Staigmiller, Harper: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Extraordinary Session Chapter 3 of the Session Laws of 1971."	27, 84.
28	Introduced by Fasbender, Greely, Swanberg, Kendall, Harper, Kosena, McGrath, Lee, Hodges, Lynch, Selstad, McKittrick, Healy, Lombardi, Quilici, Keller, Devine, Staigmiller, Gunderson, Sverdsten: A bill for an act entitled: "An act appropriating	

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	monies for certain state agencies of government for the biennium ending June 30, 1971."	31, 44, 45, 67, 76, 77, SA-81, 87, 107.
29	Introduced by Fagg, Quilici, Burnett, Zody, Norman, Darrow, Harper, Parrish, Johnston, Swanberg, Schoonover, Kendall, McKittrick, Lombardi, Healy, Glennen, Marbut, Towe, Mather, Devine, Scott, Bradley, Nelstead, Cox, Warfield, Menahan, Baeth, McGrath, Fasbender, Sheldon, Asbjornson, Hodges, T. Murphy, Bardanouve: A bill for an act entitled: "An act amending Section 26-202.1 and Section 26-202.6, R.C.M., 1947, relating to fees for resident and non-resident fishing licenses; providing an effective date."	32, 36.
30	Introduced by McNamer. A bill for an act entitled: "An act to impose a license fee on all outdoor advertising signs, establish rate schedules for advertising signs, providing for issuing of permits by the Board of Equalization; providing a penalty; and establishing an effective date."	34, 43.
31	Introduced by Kvaalen. A bill for an act entitled: "An act to repeal House Bill No. 476 passed by the Forty-second Legislative Assembly during its regular session relating to an appropriation from the general fund to the State Board of Health for matching funds to local governments for construction of water pollution facilities subject to Section 69-4808.1, R.C.M. 1947."	34, 37.
32	Introduced by Lockrem: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947; and providing an effective date."	37, 84.
33	Introduced by Mather, Warfield, Devine, Lynch, Harper, Lockrem, Nelstead, Anderson, Glennen, Healy, Edland, Schoonover, Quilici, Baeth: A bill for an act entitled: "An act to fix salaries for the district court judges; amending Section 93-303, R.C.M., 1947."	40, 41.
34	Introduced by Marks, by request: A bill for an act entitled: "An act appropriating one hundred fifty thousand dollars (\$150,000) to the Department of Administration for the acquisition of land for the Capitol complex; said purchase to be subject to approval by the Capitol Building and Planning Committee."	44, 72, 75, 77, 78, 82, 85, 91, 98.
35	Introduced by Schoonover, Christiansen, Harper, Gunderson, Edland, Yardley, Fasbender, Watt, Greely, Fleming, Swanberg: A bill for an act	

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	entitled: "An act imposing a real estate transfer tax."	44, 73, 75, 77.
36	Introduced by Giesick, by request: A bill for an act entitled: "An act to amend Section 84-4902.1, R.C.M., 1947, to increase the surtax; and providing an effective date."	45.
37	Introduced by Kvaalen: A bill for an act entitled: "An act appropriating eight thousand dollars (\$8,000) to the Legislative Council to study the Foundation Program and make recommendations for improvement of the Foundation Program structure to the Forty-Third Legislative Assembly."	46, 72, 75, 77, 78, 82, 90, 92, 82, 90, 92, 93, 98.
38	Introduced by Christiansen, Ulmer, Fasbender, Greely, Lockwood: A bill for an act entitled: "An act to amend Section 84-1501, R.C.M., 1947, as amended by Chapter 333, Session Laws of 1971, to provide that the corporation license tax be increased to six and three-quarters percent (6¾%); and providing an effective date."	51, 52, 57, 67, 68, 70, 73, 82, 83, SA-84, 87, 88, 91.
39	Introduced by Gunderson, Towe, Hodges, Staigmillar, Edland, Fasbender, Jackson, Sverdsten: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Extraordinary Session Chapter 3 of the Session Laws of 1971."	53, 84.
40	Introduced by Fagg, Campbell, Lundgren, Kosena, Aber, Ellerd, Zody: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947."	53, 55, 56, 57, 73, 76, 81, 83, 86, 92, 93, 98.
41	Introduced by Asbjornson, Spilde, Aspevig: A bill for an act entitled: "An act to appropriate monies to the units of the Montana University System, the Agricultural Experiment Station, the Cooperative Extension Service, the Western Interstate Commission for Higher Education, the office of the Executive Secretary of the Montana University System and the School for the Deaf and Blind, State Superintendent of Public Instruction, including the funding of the Foundation Program, the Board of Education, and Vocational Education, the State Advisory Council for Vocational Education, for personal services, operation, and	

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	capital expenditures for the biennium ending June 30, 1973."	55, 61, 64, 66, 67, 68, 69, 73, 85, 86, 87, 95, 96, 98, 99, 101, 102, 104, 107.
42	Introduced by Dye, Glennen, Kosena: A bill for an act entitled: "An act to appropriate monies to various state agencies for the biennium ending June 30, 1973; and providing for other matters relating to the appropriation."	64, 67, 68, 70, 73, 88, 89, 92, 94, 95, 100, 101.
43	Introduced by Ulmer: A bill for an act entitled: "An act to amend Sections 40 and 44 of Extraordinary Session II House Bill No. 12, relating to the effective date of the income tax surtax; and providing an effective date."	71, 73, 75, 77, 83, 101.
44	Introduced by Watt: A bill for an act entitled: "An act requiring that election precincts do not cross school district lines; requiring that the yearly school census be expanded in specified years; and amending Sections 23-3101 and 75-5936, R.C.M. 1947."	75.
45	Introduced by Towe, Norman, Christiansen, Bardanoue, Marbut, Harper, Fasbender, McKittrick: A bill for an act entitled: "The Montana Tax Reform Act of 1971; providing for the imposition of a Montana income tax which is equal to a percentage of the federal income tax payable on Montana taxable income; requiring corporations to pay a business and occupation license tax measured by gross receipts; repealing Sections 84-4901, 84-4902, 84-4903, 84-4905, 84-4906, 84-4907, 84-4908, 84-4909, 84-4910, 84-4912, 84-4914, 84-4915, 84-4917, 84-733, R.C.M. 1947; amending Sections 84-1901, 84-4903.1, 84-4924, 84-4939 and 84-4905, R.C.M. 1947; and providing an effective date."	76.
46	Introduced by Kolstad: A bill for an act entitled: "An act to apportion the Legislative Assembly according to the 1970 federal census; and repealing Sections 43-106.1 and 43-106.2, R.C.M., 1947."	89.
HOUSE RESOLUTIONS II EXTRAORDINARY SESSION		
1	Introduced by Edland, Knudsen, Lund: A Resolution of the House of Representatives of the State of Montana urging the National Aeronautics and Space Administration (NASA) to consider Montana for the site of the space shuttle program.	38, 40.

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2	Introduced by Knudsen, Lund, Edland, Clemow, E. Smith, East: A Resolution of the House of Representatives of the State of Montana urging the Army Corps of Engineers to improve the aquatic conditions of the Fort Peck Area in order to promote northern pike fishing in the area; either by constructing rearing ponds and a fish hatchery or the installation of a multigated outlet structure or both	38, 40.
3	Introduced by Keller, Brown, Bradley, Haines, Kolstad, Norman, Schoonover, Yardley, E. Smith: A Resolution of the House of Representatives of the State of Montana asking the Montana congressional delegation to seek increased federal funds for student assistance programs, and specifically the Work Study Program.	41, 56, 57.
4	Introduced by Bardanouve: A Resolution of the House of Representatives of the State of Montana directing the Secretary of State to send verifax copies of each bill and resolution signed by the Governor to the Legislative Council.	42, 56.
	HOUSE JOINT RESOLUTION SECOND EXTRAORDINARY SESSION	
1	Introduced by Giesick, Glennen, Healy, Lombardi, Snortland, Fleming, Jackson, Quilici, Ulmer, Lockrem, Ellerd, Burnett, Kropp, Thomas, Lucas, Forster. A Joint Resolution of the Senate and House of Representatives requesting congress to call a convention for the purpose of amending the United States Constitution to provide for inter-governmental sharing of federal income tax revenue.	1, 8, 13, 15, 17, 19, 23, 27, 29, 33, 34.
	SENATE BILLS IN THE HOUSE SECOND EXTRAORDINARY SESSION	
1	Introduced by Reardon, Broeder, Stein, Manning, Northey, McGowan, Moritz, Graham: A bill for an act entitled: "An act to provide for the control of outdoor advertising adjacent to interstate and primary highway systems in compliance with the Highway Beautification Act of 1965; repealing Sections 32-4701 through 32-4714, R.C.M. 1947."	24, 26, 34, 39, 40, 41, 52.
2	Introduced by Flynn, Dzivi. A bill for an act entitled: "An act to provide for relocation assistance to persons displaced as a result of acquisition of land for federally assisted programs and to provide for acquisition practices."	44, 46, 82, 83, 84.

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3	Introduced by McKeon, Dzivi, Sheehy, Turnage: A bill for an act entitled: "An act to fix salaries for the district court judges; amending Section 93-303, R.C.M., 1947."	71, 83, 74, 75, 77, 80, 86.
4	Introduced by McCallum, Dzivi, Carl, Sheehy, McGowan, Deschamps, Mackay, Broeder, Goodheart, Cotton, Hanks, Moritz, Flynn, Bertsche, Mathers, Hughes, Hazelbaker, Rosell, Siderius, Sorensen, DeWolfe, Lowe, Drake, Klindt, Keenan: A bill for an act entitled: "An act amending Section 16-1904, R.C.M., 1947, to allow county commissioners to transfer excess funds; repealing Section 16-2048, R.C.M., 1947; and providing an effective date."	54, 55, 57, 76, 77, 80, 86.
5	Introduced by Turnage, Manning, Gilfeather: A bill for an act entitled: "An act to authorize the Secretary of State to determine the number of signatures needed for nominating petitions of independent candidates; and providing an effective date."	85, 87, 91, 92, 97, 99, 101.

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